



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***January 22, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Floyd W. Davis, Pastor, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Today's meeting will be taped by RVTV Channel 3, to be replayed on Channel 3 on Wednesday, January 23, 2002, at 7:00 p.m., and Sunday, January 27, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

RVTV CHANNEL 3 COVERAGE OF THE CITY COUNCIL MEETING WILL CONCLUDE FOLLOWING ITEM 11, CITY MANAGER COMMENTS.

2. **PRESENTATIONS AND ACKNOWLEDGMENTS:**

A resolution paying tribute to James D. Grisso, Director of Finance for the City of Roanoke, and expressing to him the appreciation of this City and its people for his exemplary public service.

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3. **CONSENT AGENDA**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, November 19, 2001, and recessed until Monday, November 26, 2001.

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RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Council Member C. Nelson Harris, Chair, City Council's Personnel Committee, requesting a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

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RECOMMENDED ACTION: Concur in request.

- C-3 A communication from the City Manager recommending approval of the proposed budget study schedule for fiscal year 2002-03.

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RECOMMENDED ACTION: Concur in recommendation.

- C-4 A communication from the Director of Real Estate Valuation transmitting the Annual General Reassessment Program for fiscal year 2002-03

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RECOMMENDED ACTION: Receive and file.

- C-5 Qualification of the following persons:

Glenn D. Radcliffe and Pam Kestner-Chappelear as members of the Human Services Committee for terms ending June 30, 2002; and

Kermit E. Hale and Benjamin S. Motley as members of the Board of Zoning Appeals for terms ending December 31, 2004.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Vice-Mayor William H. Carder with regard to the "Roanoke Shining Stars Recognition" program.
- b. A communication from Vice-Mayor William H. Carder with regard to increasing the admissions tax on a City-wide basis (non-profit arts and cultural organizations funding).

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6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. Tip on water conservation.

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ITEMS RECOMMENDED FOR ACTION:

2. A communication with regard to management and operation services for various City-owned parking facilities.
3. A communication with regard to leased space for the Department of Technology from the Greater Roanoke Transit Company.
4. A communication with regard to purchase of property located between Garden City Boulevard and Bandy Road, S. E., for athletic fields within southeast Roanoke.
5. A communication recommending transfer of \$575,641.00 from Parks and Recreation to Streets and Traffic, in connection with alley maintenance, median and right-of-way mowing expenses for the remainder of the fiscal year.
6. A communication with regard to additional property rights acquisition in connection with the Roanoke River Flood Reduction Project.
7. A communication recommending adoption of a revised amendment to Section 36.1-640, Architectural Review Board Membership, Code of the City of Roanoke (1979), as amended.
8. A communication with regard to nomination of Grandin Village for the Virginia Landmarks Register and the National Register of Historic Places.
9. A communication with regard to a Criminal Justice Records System Improvement Grant.

P. 84; B/O 90

P. 92; R. 111

P. 112; O. 115

P. 116; B/O 119

P. 121; O. 126

P. 128; O. 131

P. 133; R. 145

P. 147; B/O 149; R. 151

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| <p>10. A communication recommending acceptance of the bid submitted by Aaron J. Conner, General Contractor, Inc., for improvements and signalization at Airport Road/Municipal Road/Towne Square Boulevard, N. W., in the amount of \$997,261.40; and transfer and appropriation of funds in connection therewith.</p> | <p>P. 152; B/O 155;
O. 157</p> |
| <p>11. A communication recommending acceptance of certain bids submitted to the City for providing custodial/janitorial services at the Main Library and library branches, Parks and Recreation buildings, and the Market Square Walkway.</p> | <p>P. 159; R. 162</p> |
| <p>12. A communication with regard to purchase of a cab/chassis and an automated compaction body for Solid Waste Management.</p> | <p>P. 164; B/O 167;
R. 168; R. 169</p> |
| <p>13. A communication with regard to purchase of refuse rear loading bodies and refuse cab/chassis for Solid Waste Management.</p> | <p>P. 170; B/O 174;
R. 175</p> |
| <p>b. CITY CLERK:</p> | |
| <p>1. A report advising of expiration of the three-year terms of office of Charles W. Day and Brian J. Wishneff as Trustees of the Roanoke City School Board on June 30, 2002, and applications for the upcoming vacancies will be received in the City Clerk's Office until 5:00 p.m., on Friday, March 8, 2002.</p> | <p>P. 176</p> |

7. REPORTS OF COMMITTEES:

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| <p>a. A communication from the Roanoke City School Board requesting appropriations to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent for Operations.</p> | <p>P. 177; P. 178;
B/O 179</p> |
| <p>b. (1) A report of the City Planning Commission recommending that Council concur that the proposed location of the Roanoke Academy of Math and Science located at 1122 19th Street, N. W., is substantially in accord with <u>Vision 2001-2020</u>, the Comprehensive Plan for the City of Roanoke. D. Kent Chrisman, Chair.</p> | <p>P. 181; R. 187</p> |

- (2) A report of the Roanoke City School Board requesting the approval of Council of a Resolution adopted at its meeting on December 11, 2001, to dedicate the Kennedy Park site to the Schools for the new Roanoke Academy for Mathematics and Science; and to declare the current school site to be no longer needed for school purposes. Richard L. Kelley, Assistant Superintendent for Operations.

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- c. A report of the City Planning Commission with regard to renaming Oak Park, located in the Wasena Neighborhood, to Triangle Park. D. Kent Chrisman, Chair.

P. 192; R. 196

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35691, on second reading, authorizing the City Manager's acceptance of a donation to the City of Roanoke of a parcel of land identified as Official Tax No. 3070318, and expressing appreciation to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton for the donation.
- b. An Ordinance amending and reordaining Section 7-7, Building code board of appeals created; composition, eliminating the exception of appeals, pursuant to the BOCA National Property Maintenance Code from the jurisdiction of the building code board of appeals, and repealing Section 7-8, Property maintenance code board of appeals; created; composition, Article II, Building Code, Chapter 7, Building Regulations, Code of the City of Roanoke (1979), as amended.

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O. 200

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

RVTV CHANNEL 3 COVERAGE OF THE COUNCIL MEETING WILL CONCLUDE.

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF COUNCIL WILL BE DECLARED IN RECESS FOR DINNER AT 5:00 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W.

FOLLOWING DINNER, THE COUNCIL WILL CONVENE IN THE COUNCIL'S CONFERENCE ROOM FOR TWO CLOSED SESSIONS PREVIOUSLY APPROVED BY THE COUNCIL.

THE ROANOKE CITY COUNCIL MEETING WILL RECONVENE AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, TO CONDUCT SIX PUBLIC HEARINGS AND TO HEAR A PETITION FOR APPEAL BY CALVARY BAPTIST CHURCH TO A DECISION OF THE ARCHITECTURAL REVIEW BOARD.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***January 22, 2002
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call.

The Invocation will be delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Tonight's meetings will be taped by RVTV Channel 3 to be replayed on Wednesday, January 23, 2002, at 7:00 p.m., and Sunday, January 27, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. (a) Bids for lease of air rights and easement for support columns located in the City of Roanoke over a portion of Second Street, S. W.
- (b) Public hearing on a proposal of the City of Roanoke to grant, by ordinance, additional air rights, and an easement for support columns located in the City of Roanoke over a portion of Second Street, S. W., for a term beginning as soon as all legal requirements have been met and ending on January 22, 2062, to provide sufficient area and space for a crosswalk in connection with expansion of the facilities of the Times-World Corporation. Darlene L. Burcham, City Manager; and William M. Hackworth, City Attorney.
2. Public hearing on the request of Timothy Sarver to permanently vacate, discontinue and close that certain alleyway running in an easterly direction from 27th Street, N. W., for a distance of approximately 53 feet, more or less, and lying between parcels bearing Official Tax Nos. 2410401 and 2410414. Timothy Sarver, Spokesperson.
3. Public hearing to consider previously received applications for Federal funds made available through the Transportation Equity Act for the 21st Century for transportation enhancement projects in Fiscal Year 2002-03. Darlene L. Burcham, City Manager.
4. Public hearing on a proposal to extend the lease of a portion of City-owned property, known as the Commonwealth Building, located at 210 Church Avenue, S. W., to the United States Federal Government, General Services Administration, for a period of one year. Darlene L. Burcham, City Manager.
5. Public hearing on the proposed adoption of a resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds of the City, in the principle amount of \$830,000.00, for the purpose of providing funds to pay a portion of the costs of a public improvement project of and for the City, consisting of acquisition, construction and equipping of a new Stadium/Amphitheater. James D. Grisso, Director of Finance; and Darlene L. Burcham, City Manager.

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P. 222; R. 228;
R. 230

P. 232;
O. 235

P. 237;
R. 239

6. Public hearing on a proposal to convey, by exchange, portions of City-owned property, identified as Official Tax Nos. 4030602 and 4030604, which are vacant lots located on Piedmont Street, S. E., to adjoining property owners for necessary property rights, in connection with the Roanoke River Flood Reduction Project. Darlene L. Burcham, City Manager.

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B. PETITION TO APPEAL A DECISION OF THE ARCHITECTURAL REVIEW BOARD, PURSUANT TO SECTION 36.1-642(d), CODE OF THE CITY OF ROANOKE (1979), AS AMENDED.

1. A Petition for Appeal submitted by Calvary Baptist Church to a decision of the Architectural Review Board for a Certificate of Appropriateness to demolish two vacant buildings located at 503 Sixth Street, S. W. The Reverend Donna Hopkins Britt, Pastor.
2. A report of the Architectural Review Board in connection with the abovereferenced Petition for Appeal. Robert B. Manetta, Chair.

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RVTV CHANNEL 3 COVERAGE OF THE COUNCIL MEETING WILL CONCLUDE.

C. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

LIMIT

THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION paying tribute to James D. Grisso, Director of Finance for the City of Roanoke, and expressing to him the appreciation of this City and its people for his exemplary public service.

WHEREAS, James D. Grisso has announced his retirement as Director of Finance effective January 31, 2002;

WHEREAS, Mr. Grisso served as a Sergeant in the U.S. Air Force from January 1964 to January 1968, including duty assignments in the United States, Germany, and Vietnam; earned a Bachelor of Science degree in Business from Virginia Polytechnic Institute in 1971; and is a Certified Public Accountant; and

WHEREAS, Mr. Grisso began his career with the City in 1974 as Assistant Municipal Auditor for the Auditing Department; and

WHEREAS, Mr. Grisso served as Administrator of City Accounting Services from June 1977 to August 1978; as Deputy Director of Finance from August 1978 to October 1992; and as Director of Finance and Pension Plan Secretary-Treasurer from October 1992 to January 31, 2002; and

WHEREAS, Mr. Grisso was closely involved in coordinating the agreement with Virginia Polytechnic Institute for the Hotel Roanoke Conference Center Commission in the early 1990's, and in coordinating the financing to build the Conference Center; and

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WHEREAS, Mr. Grisso is the primary author of the City's current pension plan, which he developed and implemented during the mid-1980's; and

WHEREAS, Mr. Grisso has been a member of several professional organizations, including the American Institute of Certified Accountants, the Virginia Society of Certified Public Accountants (Board of Directors and as Secretary-Treasurer in 1983-1984), the Governmental Finance Officers Association United States and Canada (Virginia State Representative in 1989-1990), and the Virginia Governmental Finance Officers Association (Board of Directors in 1986 and President in 1991-1992); and

WHEREAS, Mr. Grisso has faithfully served Roanoke and its citizens for 28 years.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this means of recognizing and commending the many years of service rendered to the City of Roanoke and its people by James D. Grisso.
2. The City Clerk is directed to transmit an attested copy of this resolution to Mr. Grisso.

ATTEST:

City Clerk.

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C-1

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

November 19, 2001

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, November 19, 2001, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt (arrived late), William D. Bestpitch, William H. Carder, C. Nelson Harris, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Charles H. Ward, Associate Pastor, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS: The Mayor presented a proclamation declaring the month of November as National Home Care Month in the City of Roanoke.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to two requests to convene in Closed Session to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, and to discuss expansion of an existing business, where no previous announcement of the expansion has been made.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

DIRECTOR OF FINANCE-CITY EMPLOYEES: A communication from James D. Grisso, Director of Finance, submitting his resignation as Director of Finance, effective February 1, 2002, was before the body.

Mr. Bestpitch moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

COMMITTEES-ZONING: A communication from J. Clayton Grogan submitting his resignation as a member of the Board of Zoning Appeals, effective immediately, was before Council.

Mr. Bestpitch moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris,
and Mayor Smith-----6.

NAYS: None-----0

(Council Member Wyatt was absent.)

PURCHASE/SALE OF PROPERTY-CITY PROPERTY: A communication from the City Manager advising that pursuant to requirements of the Code of Virginia, 1950, as amended, the City of Roanoke is required to hold a public hearing on the proposed conveyance or vacation of property rights, was before Council.

She recommended that a public hearing be advertised for Monday, December 17, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with the proposed conveyance of City-owned property identified as Official Tax No. 2760603 to Paul Honaker.

Mr. Bestpitch moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris,
and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

COUNCIL-INDUSTRIES: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to expansion of an existing business, where no previous announcement of the expansion has been made, pursuant to Section 2.2-3711(A)(5), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to expansion of an existing business, where no previous announcement of the expansion has been made, pursuant to Section 2.2-3711(A)(5), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris,
and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

COMMITTEES-BLUE RIDGE BEHAVIORAL HEALTHCARE: A communication from S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare, advising that the term of office of William L. Lee as an at-large representative to the Blue Ridge Behavioral Healthcare Board of Directors will expire on December 31, 2001; Reverend Lee is currently serving as Chair of the Board; and pursuant to §37.1-196, Code of Virginia, 1950, as amended, in 1998, Community Services Board Members are currently eligible to serve three full three-year terms of office, was before Council.

Mr. Sikkema requested that Council ratify the reappointment of William L. Lee, for a term commencing January 1, 2002, and ending December 31, 2004.

Mr. Bestpitch moved that Council concur in the reappointment of William L. Lee to the Blue Ridge Behavioral Healthcare Board of Directors. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

ZONING-ROANOKE CIVIC CENTER-INDUSTRIES-MUNICIPAL AUDITOR-ROANOKE NEIGHBORHOOD PARTNERSHIP-OATHS OF OFFICE-COMMITTEES: The following reports of qualification were before Council:

Troy A. Harmon as Municipal Auditor for a term beginning October 18, 2001 and ending September 30, 2002;

S. Deborah Oyler as a Director of the Industrial Development Authority of the City of Roanoke for a term ending October 20, 2005;

William D. Poe as a member of the Board of Zoning Appeals to fill the unexpired term of Willard G. Light, resigned, ending December 31, 2002;

Stuart G. Boblett, III, as a member of the Roanoke Civic Center Commission to fill the unexpired term of Edward L. Lambert, deceased, ending September 30, 2003; and

Paula L. Price as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2004.

Mr. Bestpitch moved that the reports of qualification be received and filed.

The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris,
and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was absent.)

At 2:15 p. m., Council Member Wyatt entered the meeting.

REGULAR AGENDA

PUBLIC HEARINGS: None.

PETITIONS AND COMMUNICATIONS:

TOTAL ACTION AGAINST POVERTY: Annette Lewis, Director, Total Action Against Poverty This Valley works Program, a program responsible for overseeing TAP's drop out retrieval program, appeared before Council and expressed appreciation to the City of Roanoke for the donation of Victory Stadium and for Roanoke Civic Center staff support on September 1, 2001, for the Western Virginia Education Classic. She explained that funds received from the event helped to address the alarming drop out crisis in the community. She advised that in the 1998-99 school year, 535 children dropped out of Roanoke City Public Schools and in the first year of operation of Project Discovery, 128 students returned to education and 54 obtained their GED. She stated that the staff at Project Discovery and its partners, the Roanoke City Public Schools and Radford University, continue to work to reduce the drop out rate and the Western Virginia Education Classic helps Project Discovery to educate the public on the need to reverse the drop out trend and offers an opportunity for the community to provide financial support for drop out retrieval efforts. Due to the in kind contribution of Victory Stadium and Roanoke Civic Center staff, she advised that TAP gained the support of the City of Salem, and various foundations, businesses, news media, churches, civic leaders, educators and concerned citizens.

Without objection by Council, the Mayor advised that the remarks of Ms. Lewis would be received and filed.

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of \$7,915.00 for the Western Virginia Regional Science Fair, which is a continuing grant that will be funded by participating school districts, corporate and individual contributions, and local match, was before Council.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Mr. Bestpitch offered the following emergency budget ordinance:

(#35641-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 258.)

Mr. Bestpitch moved the adoption of Ordinance No. 35641-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

BONDS-INDUSTRIES-HOSPITALS-SCHOOLS: A communication from Harwell M. Darby, Jr., Attorney, representing the Industrial Development Authority, advising that the Industrial Development Authority of the City of Roanoke requests that Council approve two proposed bond issues; i.e.: the Catholic Diocese of Richmond for bonds to be issued by the City of Salem Industrial Development Authority, in an amount not to exceed \$5,000,000.00; and the second bond issue not to exceed \$100,000,000.00 for Carilion Medical Center for bonds to be allocated to hospital facilities at Carilion Roanoke Memorial Hospital, Carilion Roanoke Community Hospital, Carilion Giles Memorial Hospital, Bedford Memorial Hospital, and Carilion Franklin Memorial Hospital and to include certain refinancings for outstanding bonds on said hospital facilities, was before Council.

Mr. Carder offered the following resolution:

(#35642-111901) A RESOLUTION approving the issuance of a revenue note by the Industrial Development Authority of the City of Salem (the "Issuer"), under the Industrial Development and Revenue Bond Act, as amended (the "Act"), requested by the Roanoke Catholic School (the "School") and the Catholic Diocese of Richmond (the "Diocese") to refinance certain indebtedness incurred by the School in connection with the construction, equipping, and furnishing of a multipurpose building (the "Project") at the School's facilities located in the City of Roanoke, Virginia, and to pay other costs of the Project, pursuant to Section 147(f) of the Internal Revenue Code of 1986 and Section 15.2-4906 of the Code of Virginia (1950), as amended.

(For full text of Resolution, see Resolution Book No. 65, page 259.)

Mr. Carder moved the adoption of Resolution No. 35642-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#35643-111901) A RESOLUTION of the City Council of the City of Roanoke, Virginia, authorizing, among other things, the issuance of not to exceed \$100,000,000.00 aggregate principal amount of Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group) Series 2002A to the extent required by Section 147 of the Internal Revenue Code of 1986, as amended.

(For full text of Resolution, see Resolution Book No. 65, page 262.)

Mr. Carder moved the adoption of Resolution No. 35643-111901. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: Council Member White-----1.

CITY EMPLOYEES: A communication from Vice-Mayor William H. Carder advising that in recognition of the City of Roanoke's significant efforts to accomplish the goals of City Council during the past year, he would like to recommend that Council provide an additional holiday for City employees on Monday, December 24, 2001, for the upcoming holiday season, was before the body.

Mr. Carder offered the following resolution:

(#35644-111901) A RESOLUTION closing certain City offices on Monday, December 24, 2001, and providing for additional holiday leave for all City employees.

(For full text of Resolution, see Resolution Book No. 65, page 266.)

Mr. Carder moved the adoption of Resolution No. 35644-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE-CITY CHARTER-CITY COUNCIL: Vice-Mayor William H. Carder presented a communication advising that as Council is aware, James D. Grisso has tendered his resignation as Director of Finance, effective February 1, 2002; therefore, he proposed an amendment to the Roanoke City Charter to allow for a change in authority of the Council-Appointed position of Director of Finance to a directorate under the responsibility of the City Manager. He noted that he had requested that the City Attorney draft the necessary changes to the City Charter, and presented copies of the sections of the Charter in need of amendment.

Mr. Carder moved that Council consider, at its public hearing regarding proposed changes to the City Charter scheduled for the 7:00 p. m., session this evening, a motion that Sections 8, 9, 23, 25.1, 25.2 and 33 be amended to provide that the City Manager will perform, or have performed, those functions currently performed by the Director of Finance and that there will no longer be a Director of Finance to be appointed by the Members of City Council.

The motion failed for lack of a second.

Mr. Bestpitch moved that the matter be referred to the Council's Financial Planning Session to be scheduled in early March 2002. The motion was seconded by Ms. Wyatt.

Robert H. Bird, 4711 Horseman Drive, N. E., former Municipal Auditor, advised that when he was first appointed to the position of Municipal Auditor in 1991, he benchmarked the City of Roanoke against other localities and Fairfax County provided an ideal model for benchmarking. He stated that he examined the Fairfax County government in general, and was impressed with its streamlined form of government consisting of a central chief executive, no Constitutional Officers and no Council Appointed Officers. He advised that during his tenure as Municipal Auditor, the City's current organizational structure; i.e.: a Chief Administrative Officer, Constitutional Officers and Council-Appointed Officers represented a frustration, not from a personality point of view but from a structural system point of view. He spoke in support of the proposal of Vice-Mayor Carder which will provide for a more effective and efficient City government structure.

Mr. White requested that the record reflect that he has served on the Audit Committee since 1991 and annually, an audit analysis, risk assessment, and audit plan are prepared, however, no major flaw in the City's organizational structure has been identified during the ten years that he has chaired the Audit Committee and worked with Mr. Bird in his capacity as Municipal Auditor. He stated that he would support the motion offered by Mr. Bestpitch, however, if Council discusses the position of Director of Finance, it should discuss other Council Appointed positions as a part of the process.

Mr. Hudson spoke in support of the current structure of Council Appointed Officers which has existed for many years and has worked well for the City of Roanoke. He stated that checks and balances between the Finance Department and the City Manager's Office are needed; therefore, the Council Appointed positions should remain intact.

Mr. Bestpitch clarified his motion to point out that no action can be taken by the Council until December 2002 as a component of another City Charter amendment for consideration by the 2003 General Assembly. He suggested that Council consider the motion as an opportunity to indicate an interest in discussing the matter, with the understanding that Council will then proceed from this point to advertise for and to recruit a new Director of Finance under the current organizational structure, while advising candidates who have expressed an interest in the position of Director of Finance that the issue is under consideration for further discussion by Council.

Ms. Wyatt advised that the issue is too important for the Council to discuss and act upon at its evening public hearings following a full day of meetings. She stated that discussion should take place at a time when Council can devote the kind of attention to the topic that it deserves.

The motion offered by Mr. Bestpitch to refer the matter to the Council's Financial Planning Session in early March 2002, seconded by Ms. Wyatt, was unanimously adopted.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

CITY CODE-TAXES: The City Manager submitted a communication advising that at a regular meeting of Council on July 16, 2001, Council Member White requested a review of the City's current policy with respect to supporting requests of non-profit organizations to exempt certain property from taxation, pursuant to Article X, Section 6(a)(6) of the Constitution of Virginia; the policy was adopted by Council on February 18, 1992, and requires such organizations agree to pay an annual service charge equal to 20% of the real estate tax levy on the property to be exempted as a condition to receiving a resolution from Council supporting the request for tax exemption to the General Assembly; there are over 2,000 properties in the City of Roanoke valued at \$848.1 million which are tax-exempt, amounting to 17% of all real estate; \$661.5 million of this total is comprised of properties that are exempted from a service charge; and 18 organizations currently pay a total of \$30,793.00 in service charges.

It was further advised that it is important to note that an agency does not need City Council's support to approach the General Assembly; therefore, based on current City policy, an agency could choose not to pay the voluntary service charge and still receive General Assembly approval for tax exemption; over the past ten years, the percentage of tax-exempt properties in the City has increased from 14.2% to 17.13%; and in the categories of Charitable and Other, 17 organizations receive additional financial assistance from the City, and six organizations pay service charges.

The City Manager recommended that Council:

Amend the current City policy by removing the provision that states the value of all exempted taxes should be deducted from any funding provided by the City of Roanoke to the organization. After reviewing the policy, enforcement of this provision could have a negative impact on these agencies.

Adopt an ordinance allowing the City to implement a triennial review performed by the Director of Real Estate Valuation as provided by the Code of Virginia Section 58.1-3605. The owner of the property will be required to provide any information which would be relevant to the continuance of the exemption granted. This will allow the City to conduct periodic reviews of the current status of properties to ensure that the tax exempt status has not changed.

Mr. Harris offered the following resolution:

(#35645-111901) A RESOLUTION amending Resolution No. 30884-021892, adopted February 18, 1992, which established the policy of the City with respect to supporting requests of certain non-profit organizations to exempt certain property from taxation pursuant to Article X, §6(a)(6), of the Constitution of Virginia.

(For full text of Resolution, see Resolution Book No. 65, page 267.)

Mr. Harris moved the adoption of Resolution No. 35645-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following ordinance:

(#35646-111901) AN ORDINANCE amending and reordaining Chapter 32. Taxation, Article II, Real Estate Taxes Generally, of the Code of the City of Roanoke (1979), as amended, by adding a new section entitled §32-26. Triennial application for exemption, providing for the periodic filing of applications with the Director of Real Estate Valuation as a requirement for the retention of tax exempt status, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 268.)

Mr. Bestpitch moved the adoption of Ordinance No. 35646-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

CITY CODE-REFUSE COLLECTION-RECYCLING: The City Manager submitted a communication advising that the Solid Waste Management Division (SWM) of the Public Works Department has re-engineered the recycling collection program for all residential households; as of July 2, 2001, Solid Waste Management began the collection of commingled (mixed) recyclables; and City Code Section 14.1-16(b) indicates that certain alleys designated by the City Manager may be used for automated collection container service, but not recyclables collection.

It was further advised that residents who continue to have their trash collection service provided in the alley have indicated that they have difficulty placing their recycling container at the curb due to topographic conditions (steps, walls, etc.); and in an effort to further increase the collection of recyclables, alley collection of recyclables has been provided, however, a change to the Solid Waste ordinance is needed to continue alley service.

Mr. Bestpitch offered the following ordinance:

(#35647-111901) AN ORDINANCE amending and reordaining subsections (r) and (s) of §14.1-1, Definitions, and subsection (b) of §14.1-16, Placement for collection generally, of Chapter 14.1, Solid Waste Management, of the Code of the City of Roanoke (1979), as amended, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 269.)

Mr. Bestpitch moved the adoption of Ordinance No. 35647-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-AIRPORT-SEWERS AND STORM DRAINS-EASEMENTS-BUDGET: The City Manager submitted a communication advising that drainage problems in the vicinity of Airport Road and Towne Square Boulevard have hampered the development of properties in the area; a project designed to improve drainage is sufficiently complete to identify property rights that need to be acquired by the City for construction of the project; authorization by Council is needed to move forward with procurement of title work, appraisals, and document preparation related to acquisition of the necessary property rights; and estimated expenses are not expected to exceed \$100,000.00, which funds are available in Capital Project Account No. 008-052-9627, Innotech Expansion.

The City Manager recommended that she be authorized to acquire all necessary property rights which may be acquired following a satisfactory environmental site inspection by negotiation or eminent domain, and include fee simple, permanent easements, permanent access easements, temporary construction easements, rights-of-way, licenses or permits, etc.; and transfer \$100,000.00 from Account No. 008-052-9627 to an account to be established by the Director of Finance entitled, "Airport Road Storm Drain Extension Project."

Mr. Bestpitch offered the following emergency budget ordinance:

(#35648-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 270.)

Mr. Bestpitch moved the adoption of Ordinance No. 35648-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following ordinance:

(#35649-111901) AN ORDINANCE providing for the acquisition of certain property rights needed by the City for the Airport Road Storm Drain Extension Project; setting a limit on the consideration to be offered by the City; providing for the City's acquisition of such property rights by condemnation, under certain circumstances; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 271.)

Mr. Bestpitch moved the adoption of Ordinance No. 35649-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

HOUSING/AUTHORITY-GRANTS-DONATIONS/CONTRIBUTIONS: The City Manager submitted a communication advising that the Roanoke Redevelopment and Housing Authority is the current owner of two parcels of land purchased with Community Development Block Grant funds; the Housing Authority has requested that the City accept donation of the two parcels of land identified as Official Tax No. 2013938, located adjacent to Wometco, Coca Cola Bottling Co. containing 0.719 acre and valued at \$2,000.00; acceptance of the parcel of land would allow it to be combined with adjacent City property that could then potentially be developed; and parcel #2 is identified as Official Tax No. 3041224, located in the Deanwood Industrial Park, containing 0.378 acre, and valued at \$4,900.00, which parcel of land serves as the stormwater management system for the industrial park and has been completed and will be maintained by the City.

The City Manager recommended that she be authorized to execute the appropriate documents to accept donation of the property, subject to an acceptable environmental inspection, in a form to be approved by the City Attorney.

Mr. Bestpitch offered the following ordinance:

(#35650-111901) AN ORDINANCE authorizing the City Manager to execute the appropriate documents for the acceptance of a donation of certain properties by the Roanoke Redevelopment and Housing Authority to be used for developmental purposes by the City; upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 273.)

Mr. Bestpitch moved the adoption of Ordinance No. 35650-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

DONATIONS/CONTRIBUTIONS-VIRGINIA TRANSPORTATION MUSEUM-EQUIPMENT: The City Manager submitted a communication advising that on June 4, 2001, Council authorized the City Manager to execute an agreement to accept donation of the 1218 steam locomotive from Shenandoah-Virginia Corporation; and the Virginia Museum of Transportation agreed to exhibit the locomotive in its rail yard, and insure and maintain the equipment as part of the Museum's collection, while ownership of the locomotive will remain with the City because of its historical significance to the City of Roanoke.

It was further advised that the Museum currently houses and maintains a number of other transportation equipment items owned by the City which have been acquired from time to time over the years, and documents relating to their acquisition by the City cannot be located; no restrictions are known on the items that would prohibit them from being donated to the Transportation Museum, however, there is currently no formal agreement between the Virginia Museum of Transportation and the City regarding maintenance and insurance of the equipment, as is the case with the 1218 locomotive; most of the equipment should be donated to the Transportation Museum to simplify equipment maintenance and insurance issues, with the understanding that if the Transportation Museum should close, ownership of the equipment would revert to the City; ownership of the No. 611 Class A Steam Locomotive should be retained by the City because of its historical significance; and the Transportation Museum has agreed to accept the donation of the transportation items, with the exception of the No. 611 Class A. Steam Locomotive.

The City Manager recommended that Council adopt an ordinance authorizing the donation of transportation equipment items described as follows, with the exception of the No. 611 Class A Steam Locomotive, to the Virginia Museum of Transportation, with ownership of the items to revert to the City in the event of closure of the Transportation Museum and if such equipment items are still in place.

Extended Roof Rockaway (Carriage)
Stick Seat Box Buggy (ca. 1885)
Studebaker Wagon (ca. 1870)
Galax Buggy Co. Carriage
Jas. Cunningham Hearse (ca. 1895)
Covered Wagon (ca. 1900)

1920 Buick Touring Car
 1930 Chevrolet Stake Bed Truck
 1924 Ford Model T Chassis
 1927 White Motor Co. Truck
 1938 Cadillac Fire Truck
 1922 White Dump Truck

1940 Seagrave Fire Truck
 1950 Oren Fire Truck

Celanese 0-4-0 Tea Kettle
 1914 Panama Canal Mule
 VGN 0-8-0 Steam Loc. #4
 N&W Steam Loc. #6
 Wabash E-8A #1009
 N&W Caboose #518391
 N&W RPO Car
 N&W Class PG Coach
No. 611 Class A Steam Locomotive (ownership to remain with City)

2 Railway Express Carts

Mr. Bestpitch offered the following ordinance:

(#35651-111901) AN ORDINANCE authorizing the donation of certain City-owned transportation equipment to the Virginia Museum of Transportation, Inc., upon certain terms and conditions; dispensing with the second reading by title of this ordinance; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 65, page 274.)

Mr. Bestpitch moved the adoption of Ordinance No. 35651-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-FIRE DEPARTMENT-GRANTS: The City Manager submitted a communication advising that the Fire Program Fund was established by the General Assembly, effective October 4, 1985, pursuant to Section 38.1-44.1, Code of Virginia, 1950, as amended; the sunset clause requiring expiration of the Fire Program Fund on July 1, 1990, was removed, thus, the City's annual allocation of State funds will

continue indefinitely; program guidelines require that funds received are non-supplanting and may not be used to replace existing local funding; funds must be used in accordance with provisions established by the State Department of Fire Programs; and the City of Roanoke's allocation of \$131,794.71 was deposited into Account No. 035-520-3232-3232 from the Department of Fire Programs.

It was further advised that the City's portion of the Roanoke Regional Fire Training Center debt service is \$60,000.00, which will be paid annually from this revenue source; and action by Council is needed to formally accept and appropriate funds, and authorize the Director of Finance to establish revenue estimates and appropriation accounts in the Grants Program Fund to purchase equipment and supplies pursuant to provisions of the program.

The City Manager recommended that she be authorized to accept the grant and appropriate grant funds totaling \$131,794.71, with corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund.

Mr. Bestpitch offered the following emergency budget ordinance:

(#35652-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 275.)

Mr. Bestpitch moved the adoption of Ordinance No. 35652-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#35653-111901) A RESOLUTION authorizing the acceptance of the FY2002 Fire Programs Funds Grant made to the City of Roanoke by the Virginia Department of Fire Programs and authorizing the execution and filing by the City Manager of the conditions of the grant and other grant documents.

(For full text of Resolution, see Resolution Book No. 65, page 276.)

Mr. Bestpitch moved the adoption of Resolution No. 35653-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris,
and Mayor Smith-----7.

NAYS: None-----0.

CITY EMPLOYEES: The City Manager submitted a communication advising that Council approved Special Military Pay on November 5, 2001, to provide supplemental pay for military reservists called to active duty related to the war on terrorism; and an amendment was requested to limit pay to employees in service with the City of Roanoke before receiving military orders.

The City Manager recommended that Council adopt an amendment to the special policy to pay military reservists, and covered employees would be those who are called to active duty related to the country's war on terrorism subsequent to the employee's employment with the City of Roanoke.

Mr. Bestpitch offered the following resolution:

(#35654-111901) A RESOLUTION authorizing payment of supplementary compensation and restoration of certain benefits to employees called to active military duty; and repealing Resolution No. 35637-110501, adopted November 5, 2001.

(For full text of Resolution, see Resolution Book No. 65, page 277.)

Mr. Bestpitch moved the adoption of Resolution No. 35654-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris,
and Mayor Smith-----7.

NAYS: None-----0.

TRAFFIC-HOSPITALS: The City Manager submitted a communication advising that on September 1, 1998, the City of Roanoke and Carilion Health System entered into a Parking Agreement providing Carilion with the right to purchase a minimum of 310 and a maximum of 440 parking permits for use in certain City owned and/or controlled parking garages during normal business hours; and Carilion has purchased the maximum number of permits allowed by the Agreement and now intends to create and/or move additional job positions downtown and requires the ability to purchase up to an additional 60 parking permits above the 40 provided for in the Parking Agreement.

It was further advised that the City wishes to make these additional permits available to Carilion, pursuant to the same terms and conditions as set forth in the Parking Agreement, except that such additional permits will be made available for purchase by Carilion Health System at the approved prevailing monthly parking rate for the particular parking garage for which such permits are issued, less ten percent; rates for the additional parking permits will also be subject to any and all rate changes which may be approved by Council during the life of the Parking Agreement; and Carilion Health System may request the additional supplemental permits in writing, through the City's Director of Economic Development, and may cancel any or all of such permits at the time Carilion makes its annual report to the City as specified in Section 7 (b) of the Parking Agreement.

The City Manager recommended that Council approve Amendment No. 1 to the September 1, 1998, Parking Agreement between the City of Roanoke and Carilion Health System providing Carilion with the ability to acquire an additional 60 parking permits.

Mr. Bestpitch offered the following emergency ordinance:

(#35655-111901) AN ORDINANCE authorizing the City Manager to execute Amendment 1 to the September 1, 1998, Parking Agreement between the City of Roanoke and Carilion Health System; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 278.)

Mr. Bestpitch moved the adoption of Ordinance No. 35655-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White abstained from voting.)

BUILDINGS/BUILDING DEPARTMENT-LANDMARKS/HISTORICAL PRESERVATION: The City Manager submitted a communication advising that Roanoke has many historically significant places that consist of individual buildings, such as St. Andrew's Catholic Church, or consist of many buildings, such as the City Market and Old southwest; these landmarks are designated on the National Register of Historic Places; and locations that currently have this designation include:

- City Market
- Old Southwest/Mountain View
- Hotel Roanoke/Higher Education Center/GOB South
- Warehouse Row
- Historic Gainsboro

It was further advised that in July, 2000, the City of Roanoke entered into a 50/50 cost-sharing program with the Virginia Department of Historic Resources (VDHR) for surveying portions of downtown Roanoke for possible inclusion on the National Register of Historic Places; the project area contains 200 properties that would "fill the gaps" between existing National Register districts; the City of Roanoke committed \$15,000.00, with a State match of \$15,000.00, for a total project budget of \$30,000.00; Hill Studio was retained to conduct the survey; and survey work was also completed on a proposed Henry Street District, which is composed of the Dumas Hotel and Ebony Club properties; once an area is surveyed, a "Preliminary Information Form" is submitted to the Virginia Department of Historic Resources, which determines eligibility; an official nomination is made following eligibility determination; survey work has been completed for the Downtown West District and the Henry Street District; and Preliminary Information Forms have been prepared and must be endorsed by Council in order to proceed.

It was further explained that designation on the National Register provides many benefits, including economic incentives and promoting community pride; National Register designation encourages investment by making State and Federal tax incentive programs available, which can offset up to 45% of the cost of rehabilitation; tax credit programs have been successful at spurring rehabilitation projects, major examples of which include the Roanoke Higher Education Center, Shenandoah Hotel, and Spectrum Design; many of the projects would not have been feasible without tax credits made available through National Register designation; it is important to note that inclusion on the National Register does not necessarily mean that Roanoke's H-1 and H-2 zoning district overlays will apply; no control over design is imposed on property owners unless Federal funds are involved; and use of Federal funds or participation in a tax credit project will require that an owner comply with rehabilitation standards adopted by the U. S. Secretary of the Interior.

The City Manager recommended that Council adopt a resolution endorsing the nominations of the Downtown West Historic District and the Henry Street Historic District for inclusion on the National Register of Historic Places, and that the City Manager be authorized to execute documents related to the nominations on behalf of the City.

Mr. Carder offered the following resolution:

(#35656-111901) A RESOLUTION endorsing the inclusion of the Downtown West and the Henry Street Districts as landmarks on the Virginia Landmarks Register and the National Register of Historic Places; and authorizing the proper City Official to execute the appropriate documents to include those areas on the Virginia Landmarks Register and the National Register of Historic Places.

(For full text of Resolution, see Resolution Book No. 65, page 280.)

Mr. Carder moved the adoption of Resolution No. 35656-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

ANIMALS/INSECTS: The City Manager submitted a communication advising that for the past 40 years, the Roanoke Valley SPCA has operated out of a converted farmhouse building constructed in 1917 and located at 1313 Eastern Avenue, N. E.; periodically during that time, the SPCA has accepted the responsibility to house and provide care for pound animals for Roanoke County and Botetourt County, the Town of Vinton and the City of Roanoke; the facility is now dilapidated and inadequate, and State Veterinarian inspectors have consistently rated the animal care provided by the SPCA as excellent, however, the physical facility itself was rated as deficient; the State has notified participating local governments that it will begin levying fines for certain deficiencies; and both the SPCA and local governments have been independently seeking new facilities for the past several years as a result of existing deficiencies.

It was further advised that after extensive research, planning and numerous meetings, the SPCA and various local governments have prepared a plan to develop a state of the art facility for animal management in the Roanoke Valley, which is proposed to be located next to the current facility, and will house SPCA operations, in addition to the pound operations of Roanoke County, Botetourt County, the Town of Vinton, and the City of Roanoke; the SPCA will continue to care for animals through its subsidiary, Animal Care Services, Inc. (ACS); the two operations will be adjacent, sharing a roof line and other items in order to contain costs; this public/private partnership will provide an improvement in the services for animals and the community in a manner that is more humane, efficient and economical; the co-location relationship will also facilitate coordinated efforts of the SPCA and local governments in mutual projects such as increased licensing, return of animals to owners, community wide humane education, and humane investigation; and the

SPCA has been actively pursuing the goal of building a new shelter and raising the necessary funds for many years, and the Executive Director and staff played a major role in researching successful animal welfare organizations, with an emphasis on development of both physical plant and program plans for the new facility.

It was explained that the current building is located in the flood plain and has experienced several floods; the facility is in violation of State regulations which must be quickly addressed; a draft Roanoke Valley Regional Pound Facility Services Agreement, which has been reviewed by attorneys for participating local governments, is provided for review by Council; Schedule A defines percentage payments for local governments based upon historic use of the current facility, with percentages to be adjusted every three years based upon actual use of the facility; the City's current percentage is 51%; the term of the Agreement begins with the issuance of the obligations, or the first day of the month after the new facility is placed in service and continues through June 30, 2032; the Agreement provides that participating localities will indemnify and hold harmless the Roanoke Valley SPCA, and the organization will indemnify and hold harmless the participating localities, for negligent or willful acts of omission or commission committed by the other party; and the Roanoke Valley SPCA will be the property owner and construction manager, with a development and construction period estimated at 12 - 18 months and a summer 2003 completion date.

It was noted that the Roanoke Valley SPCA contemplates a financing through issuance of bonds by the Botetourt County Industrial Development Authority; the Botetourt Industrial Development Authority adopted a resolution authorizing issuance of industrial development revenue bonds, in an amount not to exceed \$3.8 million, which authorization is subject to concurrence of City Council since the facility will be located in the City of Roanoke; City of Roanoke appropriations will be addressed in the fiscal year 2003 budget; a joint partnership assists in accomplishing the goals of all parties, because if each locality tried to build and operate separate facilities, costs would be prohibitive; and the City's Purchasing Manager has determined that the Roanoke Valley SPCA is the only source practicably available to perform pound facility services.

The City Manager recommended that Council concur in the determination of the City's Purchasing Manager on the sole source issue and that she be authorized to enter into the Services Agreement, the form of which shall be approved by the City Attorney, with the Roanoke Valley SPCA, the Town of Vinton, Botetourt County and Roanoke County; and that Council concur in the resolution adopted by the Industrial Development Authority of the County of Botetourt approving the loan by the Authority to benefit the Roanoke Valley SPCA.

Mr. Bestpitch offered the following resolution:

(#35657-111901) A RESOLUTION authorizing and providing for an agreement between the City of Roanoke and the Roanoke Valley Society for the Prevention of Cruelty to Animals ("RVSPCA") relating to construction and operation of a new pound facility by the RVSPCA, and concurring with the determination of the City's Purchasing Manager that the RVSPCA is the only source practicably available to perform such services.

(For full text of Resolution, see Resolution Book No. 65, page 281.)

Mr. Bestpitch moved the adoption of Resolution No. 35657-111901. The motion was seconded by Ms. Wyatt.

Mr. Geoffrey Campbell, 780 Tinker mill Road, Daleville, Virginia, advised that out of hundreds of proposed new construction facilities throughout the United States, the Roanoke Valley's proposed facility is the only facility that does not include provisions for a spay/neuter clinic. He stated that without an aggressive spay/neuter program, taxpayers will be faced with ever escalating costs for animal control (chasing, catching, housing and disposing of stray animals); and without an aggressive spay/neuter program, the number of dogs and cats killed annually in the Roanoke Valley's shelter will continue to increase. He advised that the pet population in the United States has doubled since the 1960's; in the Roanoke Valley, over 31,000 animals have been put to death in the past ten years; collectively, the City of Roanoke and the surrounding localities spend \$1 and \$1.2 million for animal control to collect and dispose of animals and their unwanted offspring, and total cost to taxpayers in collateral expenses (dog bites, police calls, community health issues, etc.,) remains hidden. He stated that a solution to the problem is an aggressive spay/neuter clinic program; national statistics demonstrate that one dollar spent on spay/neuter saves nine dollars in animal control costs; and most states, including the Commonwealth of Virginia, require that all adopted animals from shelters and pounds be altered and they provide funds or sanctions for non-compliance.

Resolution No. 35657-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#35658-111901) A RESOLUTION concurring in the resolution adopted by the Industrial Development Authority of the County of Botetourt, Virginia (the "Botetourt Authority") and approving the loan by the Botetourt Authority for the benefit of the Roanoke Valley Society for the Prevention of Cruelty to Animals, Inc., (the "RVSPCA") to assist in acquiring, constructing, and equipping a regional animal pound facility (the "Project").

(For full text of Resolution, see Resolution Book No. 65, page 282.)

Mr. Bestpitch moved the adoption of Resolution No. 35658-111901. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

BONDS/BOND ISSUES-BUDGET-ROANOKE CIVIC CENTER: The City Manager submitted a communication advising that at its work session on November 5, 2001, Council directed the City Manager to develop a funding scenario and time line for the design process for the Roanoke Civic Center Expansion and Renovation Project-Phase II of \$14,941,020.00; it is the goal of the City administration that bonds will eventually be issued to fund the project; the time schedule for the architect/engineer selection process, design and documentation work, and award of the construction bid is estimated at 13 months; estimated funding required in order to complete this portion of the project is \$850,000.00; due to the urgent nature of the project, certain funding sources have been identified that could be reallocated to provide the necessary funding to begin the design process immediately; and should bonds be issued at a later date, proceeds from such bond issue would be used to offset these funding sources.

The City Manager recommended that Council appropriate \$850,000.00 to a new capital account to be established by the Director of Finance entitled, "Civic Center Expansion and Renovation Project-Phase II," from the following sources:

Civic Center Retained Earnings	\$265,000.00
1999 Bonds Designated for Civic Center	
Repairs/Improvements	85,000.00
Capital Improvement Reserve-Streets and Bridges	300,000.00
CMERP funding in 001-530-4210-9132	<u>200,000.00</u>
	\$850,000.00

It was further recommended that Council adopt a resolution indicating the City's intent to reimburse itself from the proceeds of General Obligation Public Improvements Bonds to be issued in the future.

Ms. Wyatt offered the following emergency budget ordinance:

(#35659-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General, Civic Center, and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 283.)

Ms. Wyatt moved the adoption of Ordinance No. 35659-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#35660-111901) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its general obligation public improvement bonds for certain moneys to be appropriated by the City for expenditures in connection with the Roanoke Civic Center Expansion and Renovation Project - Phase II; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 65, page 286.)

Mr. Bestpitch moved the adoption of Resolution No. 35660-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-BONDS/BOND ISSUES-BUDGET-ARMORY/STADIUM-ROANOKE CIVIC CENTER: The City Manager submitted a communication advising that at its meeting on May 21, 2001, Council authorized the City Manager to begin negotiations for acquisition of property across Orange

Avenue from the Roanoke Civic Center for the purpose of constructing a multipurpose Stadium/Amphitheater facility; the City has concluded negotiations on the property owned by Fred C. Ellis identified as Official Tax Nos. 2041817 and 2041816, in the amount of \$275,000.00; and funding in the amount of \$275,000.00 is currently available in Account No. 008-530-9758 from General Fund revenues; however, upon issuance of the Series 2002 Bonds, bond proceeds will actually be utilized to cover the expense.

The City Manager recommended that she be authorized to execute a contract for the purchase of Official Tax Nos. 2041817 and 2041816, in the amount of \$275,000.00, and that Council adopt a resolution indicating the City's intent to reimburse itself \$275,000.00 from the proceeds of the sale of Series 2002 General Obligation Public Improvement Bonds, in connection with acquisition of real property for the Stadium/Amphitheater Project, with the maximum amount of debt expected to be issued for the project to be \$16,200,000.00.

Mr. Bestpitch offered the following emergency budget ordinance:

(#35661-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 287.)

Mr. Bestpitch moved the adoption of Ordinance No. 35661-111901. The motion was seconded by Mr. Carder.

Upon question, it was noted that the property is assessed at \$37,000.00; however, the City Manager advised that no outside appraisal or independent appraisal of the property was conducted. She stated that Council authorized engagement of the services of a real estate organization to serve as the City's agent in approaching owners in the area with regard to the availability of the property for sale and the general terms under which they would be willing to sell their property. In response to a question raised by a Member of Council, the City Manager advised that this parcel of land, if approved by Council, would be the only piece of property that the City would need to purchase in order to consummate the compilation of 21 acres which is actually three acres more than was envisioned for the activity. She stated that property currently owned by the City, as well as certain property to be donated to the City, will be used for the project, and it is not unusual for the City to pay more than the assessed value of property which is not to suggest that the assessed value is incorrect, but once it becomes known that the City is interested in purchasing a parcel of land, there is a natural tendency to experience an increase in the cost.

Ordinance No. 35661-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris,
and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#35662-111901) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its general obligation public improvement bonds authorized to be issued pursuant to Resolution No. 35489-080601, adopted August 6, 2001, for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City, which includes acquisition of real property for the Stadium/Amphitheater Project; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 65, page 288.)

Mr. Carder moved the adoption of Resolution No. 35662-111901. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris,
and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following ordinance:

(#35663-111901) AN ORDINANCE authorizing the City Manager to enter into a sales contract providing for the acquisition of certain property needed in connection with the proposed construction of a multipurpose stadium/amphitheater; establishing the consideration to be paid by the City; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 65, page 289.)

Mr. Bestpitch moved the adoption of Ordinance No. 35663-111901. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris,
and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-DONATIONS/CONTRIBUTIONS-LANDMARKS/HISTORICAL PRESERVATION-GRANDIN THEATER: The City Manager submitted a communication advising that the Grandin Theater opened in the early 1930s and closed in 1976; Mill Mountain Theater then held performances at that location prior to moving to Center in the Square in 1983; a year later, the Grandin Theater reopened as a movie house, but closed in late 1985 due to financial difficulties; in 1986, the Grandin Theater was purchased by the Lindsey family, refurbished, and reopened as a commercial movie house; the Theater once again began experiencing financial difficulty in 2000 because of market pressures, dramatic changes within the theater business, and the high cost of needed capital improvements; in November 2000, the current owner, Ms. Julie Hunsaker, made a public appeal for enhanced public support of the theater, and as a direct result, the Grandin Theater Foundation, Inc., was formed by concerned civic leaders and art patrons.

It was further advised that a Foundation plans to purchase the Grandin Theater from the current owner at a cost of \$402,000.00 and operate the theater as a self-supporting business; in addition, the Foundation plans to make long overdue, market-critical improvements to the facility at a cost of \$825,000.00 (new wiring, projection and sound equipment, seating, and refurbished bathrooms); operations of the theater would be supervised by its long-time general manager, Kathy Johnston, and the current owner, Julie Hunsaker, would be contractually retained for two years to assist with booking and marketing; the Foundation's Business Operations Committee will monitor theater activities on a weekly basis; the new theater's pro forma budget projects annual income of \$518,000.00 and annual expenses of \$471,829.00, for a net profit of \$46,171.00; to fund purchase and renovation costs of the theater, the Foundation is seeking public and community financial support, and has specifically requested a total of \$500,000.00 in City funding, \$100,000.00 within the next ten days and \$80,000.00 per year for five fiscal years beginning with fiscal year 2003.

It was explained that the Grandin Theater is Roanoke's last historic movie theater and is the only theater of its kind left in the region; it is considered to be a critical anchor in the Grandin Village community, contributing greatly to the quality of life and providing an important community venue for speakers, music and classes; the creation or retention of village centers like Grandin Village is a key strategy in the Vision 2001 Comprehensive Plan recently adopted by Council; and a contractual agreement with the Foundation has been prepared for consideration by Council containing the following general conditions:

The Grandin Theater will continue to be operated as a movie theater, unless the City agrees otherwise in writing;

The Foundation will pay real estate taxes on the Grandin Theater, as assessed by the City;

Funds requested by the Foundation will be used solely for acquiring, renovating and equipping of the Grandin Theater, and will not be expended in the operation of the theater;

The Foundation will not request any additional City financial support to subsidize operations of the theater;

City funds are to be matched with private funds raised by the Foundation; and

If the theater is sold or conveyed by the Foundation to other than a non-profit entity that will operate it as a theater, the Foundation will repay to the City 50% of funds donated to the Foundation.

The City Manager recommended that she be authorized to execute a contractual agreement with the Grandin Theater Foundation, Inc., to provide total financial support of \$500,000.00 to the Foundation over a six year period, with \$100,000.00 to be provided from the following sources at the execution of the agreement, and subject to certification that the Foundation has raised an equal amount, and \$80,000.00 will be budgeted annually from General Fund revenues for five years, beginning with fiscal year 2003, subject to annual appropriation:

Undesignated Capital Funds	\$97,000.00
Capital Improvement Reserve - Buildings (Account 008-052-9575-9173)	3,000.00

Mr. Carder offered the following emergency budget ordinance:

(#35664-111901) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 290.)

Mr. Carder moved the adoption of Ordinance No. 35664-111901. The motion was seconded by Mr. White.

Edward Walker, representing the Grandin Theater Foundation, advised that the Theater's financial records are in excellent condition which enabled him to reach certain historical averages. He stated that the day of the small independent theater is over because profit margins are thin and it is unlikely that investors will participate in that type of enterprise. He advised that if placed in a non-profit mode, under non-profit leadership, and taking advantage of non-profit benefits such as tax deductible contributions from the public, it appears that the Grandin Theater could net between five and ten per cent. He stated that the Grandin Theater is important as an economic asset to the Grandin Road community because it anchors approximately \$5 million worth of commercial real estate in the area.

Ms. Marguerite Garman, 2241 Memorial Avenue, S. W., spoke in support of keeping the Grandin Theater open.

Ms. Sarah Hazelgrove, 2421 Crystal Spring Avenue, S. W., spoke in support of keeping the Grandin Theater open. She stated that the theater is a popular and unique facility because it promotes a variety of works and it is a Roanoke landmark, thereby playing a major role in the popularity and prosperity of the Grandin Road area. She noted that Roanoke takes pride in its historical landmarks such as the Farmers' Market, the City Market Building, the Virginia Museum of Transportation and the Hotel Earle, and requested that the Grandin Theater be added to the list of City landmarks.

Ms. Anne Trinkle, Member of the Grandin Theater Foundation and Co-Chair of Fund-Raising for the Foundation, 2855 South Jefferson Street, spoke in support of keeping the Grandin Theater open. She stated that significant historical value will be lost if the Grandin Theater is closed.

The City Attorney was requested to review certain revisions to the proposed contract between the City and the Grandin Theater Foundation which were made in response to suggestions offered by the Members of Council. He explained that the original proposal stated that during the first five years of the agreement, if the Foundation were to sell the Grandin Theater to some entity other than a non-profit organization that would continue to operate the facility as a theater, the Foundation would repay to the City 50 per cent of the funds donated by the City up to that time, minus any credit for admissions taxes paid through that date. He stated that that provision has now been changed, language relative to the admissions taxes has been stricken, and the amount of repayment would be 50 per cent of funds derived from the sale of the theater after deducting any capital costs incurred or any operating expenses that had not been paid off. He explained that other changes were relatively minor.

Council Member Harris commended the agreement to Council and advised that as an individual who lives and works in the Grandin Road area, keeping the Grandin Theater open is critical to maintaining the vibrancy of the neighborhood's commercial district.

Mr. Bestpitch inquired if the Grandin Theater is sold or conveyed and expenses, capital and operating, are paid off and there are remaining funds after the City receives its 50 per cent, what happens to the other 50 per cent. In the event of that situation, he stated that the agreement should be worded in such a way that would enable citizens to have their money returned if possible.

Under the scenario described by Mr. Bestpitch, Mr. Walker responded that he would recommend a kind of mechanism that would either return the funds to the public good or to a cultural institution/non-profit organization. He stated that it would be almost impossible to return contributions on a percentage basis, however, the City should rest assured that the Foundation does not wish to retain the 50 per cent under the scenario described by Mr. Bestpitch.

Mr. Bestpitch requested suggestions from the City Attorney for incorporating Mr. Walkers' response into the agreement; whereupon, the City Attorney advised that when a non-profit organization has its articles of incorporation approved by the Commonwealth of Virginia, the organization is governed by specific provisions in the event of dissolution of assets of the corporation.

In response to a question raised by the Mayor as to whether the Foundation would be willing to return remaining funds in their entirety to the City, Mr. Walker advised that the Foundation would not contemplate returning 100 per cent of the money to the City.

The Mayor advised that the agreement should be worded more strongly. He stated that he could support the agreement only if the City pays a reasonable price because he does not deem a closed theater to be worth three times its market value. He stated that personally, he would like to save the Grandin Theater and will be making his personal contribution, but he could not support the agreement presently before Council on the basis that it does not represent a sound business decision.

Ordinance No. 35664-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, and Harris-----6.

NAYS: Mayor Smith-----1.

Mr. Bestpitch offered the following ordinance:

(#35665-111901) AN ORDINANCE authorizing the City Manager to enter into an Agreement with Grandin Theater Foundation, Inc., to provide for funding by the City in an amount up to \$500,000.00 for the acquisition and renovation of the Grandin Theater in the Grandin Village area of the City, upon certain terms and conditions to provide benefits and services to the residents of the City and Southwestern Virginia; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 291.)

Mr. Bestpitch moved the adoption of Ordinance No. 35665-111901. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, and Harris -----6.

NAYS: Mayor Smith-----1.

REPORTS OF COMMITTEES:

COUNCIL-LEGISLATION: Council Member William White, Sr., Chair, Legislative Committee, presented a report of the Committee advising that on October 29, 2001, Council's Legislative Committee met to review the proposed 2002 Legislative Program; whereupon, he recommended the program to Council for favorable action. Mr. White also advised that the School Board's portion of the Program was approved on November 13, 2001.

The Legislative Program includes the following components:

Items included in the proposed 2002 Legislative Program include:

- City Charter Amendments
- Education Funding
- Roanoke Civic Center, Amphitheater and Stadium Improvements
- Funding
- Civic Facilities Competitiveness
- TransDominion Express
- Inspection of Rental Properties
- Support for Virginia First Cities Coalition
- First Cities Legislative Initiatives

School Board Priorities:

The major legislative priorities of the Roanoke City School Board are for the State to:

Improve its share of funding public education based on the results of the JLARC study;

Provide incentives for the recruitment and retention of teachers and principals;

Maintain local governance over K-12 educational and administrative issues;

Continue to support standards and consequence for school accreditation that are non-punitive in nature;

Address student safety and discipline issues through additional funding and program support; and

Enhance the State's support of school outlay projects through a permanent funding source for school construction and debt requirements.

Legislation the City Would Support:

Blight Related Remedies
Regional Competitiveness Act Funding
Aircraft Taxation and Incentives
Research and Development Tax Credit
Telecommunications Tax Collections

Policy Positions:

Commissions to Study Local Government Needs
State Support for Cultural Agencies and Activities
Mental Health Funding
Transportation (Including Mass Transit) Funding
Interstate 73
Dangerous Weapons on Public Property
Standards for Adult Homes
Zoning Districts
Redevelopment Initiatives

General Policy Considerations:

The Federal and State governments should recognize that local governments are the best vehicles for the delivery of many services to the public because local governments are closest to the people and the most responsive. Roanoke remains concerned with the cumulative effort of Federal and State legislative and regulatory mandates that have stressed the serious financial problems of local governments. It is essential that the State fully fund all State mandates, including public employee salaries.

Roanoke is vitally concerned over the continued erosion of local revenue sources. The General Assembly is urged to leave the taxing authority and revenue sources of local government alone. Additionally, the State should pay a greater share of the costs of education and other services.

City Council calls upon the Governor and the General Assembly to develop an economic development strategy for the Commonwealth and its local governments. The strategy should include special programs for those areas west of the Blue Ridge Mountains and central cities across the Commonwealth. Tourism and convention activities that enhance the economic well being of the State and its political subdivisions should be recognized as legitimate components of economic development.

The School Board's Legislative Program-FY2002-2004 Biennium addressed such issues as State standards, legislative issues and priorities, Standards of Learning, Pupil Services, Construction and Technology, School Governance, and Governor's School Program.

Mr. White offered the following resolution:

(#35666-111901) A RESOLUTION adopting and endorsing a Legislative Program for the City to be presented to the City's delegation to the 2002 Session of the General Assembly.

(For full text of Resolution, see Resolution Book No. 65, page 292.)

Mr. White moved the adoption of Resolution No. 35666-111901. The motion was seconded by Mr. Hudson.

Mr. Bestpitch called attention to that portion of the Legislative Program regarding I-73. He stated that the same statement has been included in the Legislative Program for several years, even though Council has gone on record on two occasions expressing concerns in regard to the route selected by the Commonwealth Transportation Board for I-73. He suggested that Council either amend the item relating to I-73 to reflect Council's concern, or delete the paragraph in its entirety from the Legislative Program.

Mr. Harris and Ms. Wyatt concurred in Mr. Bestpitch's comments since the statement regarding I-73 is generic in nature and is not reflective of the Council's actions regarding I-73 as the subject has unfolded and developed with the Virginia Department of Transportation.

Mr. White and Mr. Carder clarified that the Legislative Committee previously agreed to delete I-73 language from the proposed 2002 Legislative Program; therefore, no reference to I-73 should be included.

Mr. Hudson called attention to the item addressing dangerous weapons on public property which could present a problem at the General Assembly level insofar as approval of the City's proposed Charter amendments.

The Mayor advised that last year, the City submitted certain proposed City Charter amendments to the General Assembly which were intended to correct out dated and sometimes archaic language, but because language was included with regard to regulating dangerous weapons on public property, the proposed Charter amendments were not approved by the General Assembly. He stated that if the City's current proposed City Charter revisions include regulation of dangerous weapons on public property, it is conceivable that the proposed Charter amendments will not be approved by the General Assembly at its 2002 session.

With regard to I-73, the Mayor advised that it would be in the City's best interest to be totally supportive of I-73; however, he could support the deletion of any reference to I-73 in the proposed 2002 Legislative Program.

Ms. Wyatt spoke in support of including the item prohibiting dangerous weapons on public property in the City's proposed Legislative Program. She stated that the City should go on record that only police officers should be allowed to carry dangerous weapons on City property.

Mr. Harris moved that the 2002 Legislative Program for the City of Roanoke be adopted with the deletion of language relating to I-73. The motion was seconded by Mr. Bestpitch and adopted, Mayor Smith voted no.

Resolution No. 35666-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, and Harris -----6.

NAYS: Mayor Smith-----1.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

COUNCIL: Ordinance No. 35624, establishing the salary of the Mayor at \$18,000.00 per year and the Vice-Mayor and Council Members salary at \$14,490.00 per year, having previously been before the Council for its first reading on Monday, November 5, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. Bestpitch offering the following for its second reading and final adoption:

(#35624-111901) AN ORDINANCE establishing the annual salaries of the Mayor, Vice-Mayor and Council Members for the fiscal year beginning July 1, 2002.

(For full text of Ordinance, see Ordinance Book No. 65, page 257.)

Mr. Bestpitch moved the adoption of Ordinance No. 35624-111901. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: Council Member Hudson-----1.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

BUDGET-CITY EMPLOYEES-PENSIONS: Inasmuch as Social Security benefits will increase by 2.6%, effective January 1, 2002, following discussion generated by Mr. White, it was the consensus of Council that the question of a 2.6% cost of living increase for City retirees be referred to the City Manager and the Director of Finance for report and recommendation to Council during fiscal year 2002-03 budget study.

CITY EMPLOYEES-ROANOKE CIVIC CENTER: Council Member Hudson inquired about the status of the flu vaccine for City retirees. He questioned the proposed locations for administering the vaccine and suggested the Roanoke Civic Center as a potential site.

INSURANCE-BUDGET-CITY EMPLOYEES: Council Member Wyatt renewed a previous inquiry regarding the status of prescription cards and/or contracting with local pharmacies to provide medications for City employees at a reduced cost.

FIRE DEPARTMENT: Council Member Bestpitch referred to updates provided by the City Manager on the Fire/EMS Agreement with Roanoke County. He raised the following questions for response during fiscal year 2002-03 budget study:

1. Inasmuch as the typical assignment for a fire engine, ladder truck, etc. is four personnel, how often are there fewer than the full number of assigned personnel actually available to staff equipment?
2. How often are paid staff, either part-time or full-time, used to man the volunteer rescue service, and how many are part-time staff receiving no benefits?

CITY COUNCIL-CITY EMPLOYEES: Council Member Hudson expressed concern that the City's supply warehouse function has been discontinued which causes City employees to leave the job site to purchase supplies commercially.

CITY MANAGER COMMENTS:

CITY MANAGER: The City Manager advised that during the course of several agenda items, statements were made that the City Manager and staff under the jurisdiction of the City Manager may not be cooperating with other Council-Appointed Officers. She stated that during her tenure as City Manager, Council-Appointed Officers have worked cooperatively with the City Manager's staff to approve agenda items relative to both financial and legal issues, and she has worked with the Municipal Auditor to identify any needed improvements within the organizational structure.

At this point, RVTV-Channel 3 coverage of the City Council meeting was concluded.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred, without objection by Council, for response, report and recommendation to Council.

TRAFFIC-ROANOKE CIVIC CENTER: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., commended the City for reopening the underpass at the Roanoke Civic Center which relieves traffic congestion on Williamson Road and Orange Avenue.

COUNCIL: Ms. Helen E Davis, 35 Patton Avenue, N. E., expressed concern with regard to matters effecting the northwest section of the City of Roanoke, i. e.: rejection by the Housing Authority of requests by residents of Lincoln Terrace for screen doors on their homes, fire protection, and a proposal regarding the future of the Burrell Nursing Center. She requested that Council look at the entire City and not just the northwest section of Roanoke.

At 5:50 p.m., the Mayor declared the Council meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, for a briefing on the extension of the linear railwalk; and a follow-up briefing on the Roanoke Central Business District Parking Study.

The City Council meeting reconvened at 6:00 p.m., in Room 159, Emergency Operations Center Conference Room, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding and all Members of the Council in attendance.

RAILSIDE LINEAR WALK: Representatives of the Roanoke Valley Garden Club briefed the Members of Council on a project in connection with the railside linear walkway which is intended to beautify downtown Roanoke in the area of the Virginia Museum of Transportation. They reviewed a sketch which was prepared by Hayes, Seay, Mattern & Mattern detailing the proposed improvements, which are estimated to cost in the range of \$150,000.00, and will provide the link from Warehouse Row to the Transportation Museum. They requested authorization by Council to proceed with a fund-raising project for completion of this phase of the railwalk project. It was noted that the Roanoke Valley Garden Club is prepared to commit approximately \$12,000.00 to a non-profit fund which will be earmarked for the proposed beautification project.

The City Manager advised that if there is general agreement on the part of Council to allow the right-of-way to be used in this fashion, the Roanoke Valley Garden Club could begin marketing and fund raising efforts for this last piece of the property.

It was noted that Council was not meeting in official session; however, it was the consensus of Council, informally, to support the request for fund raising by the Roanoke Valley Garden Club for linear rail walk beautification from Warehouse Row to the Virginia Museum of Transportation.

TRAFFIC-CONSULTANTS' REPORTS: A representative of Wilbur Smith Associates presented a summary of the Roanoke CBD Parking Study, dated November 19, 2001.

The Executive Summary pointed out that considerable development and change has occurred in recent years in the downtown Roanoke area; roadway changes have included the upgrading of Wells Avenue and Gainsboro Road and the two-way operation of several blocks of Salem and Campbell Avenues; developments have included the Hotel Roanoke and Conference Center, First Union Tower and the Higher Education Center; and significant new development is in various stages of planning and development.

The study was undertaken to assess the changing parking needs of the downtown area of Roanoke, including the Gainsboro neighborhood to the north, and the Old Southwest neighborhood generally south and west of the CBD area; the study quantifies existing and projected parking needs and includes recommendations to address identified shortfalls; and solutions are presented which are sensitive to impacts on the residential neighborhoods.

A parking chart was presented summarizing parking supply and demand encompassing the Gainsboro, CBD and Old Southwest areas, showing a total supply of 14,428 parking spaces, a demand for 11,779 spaces and a surplus of 2,649 spaces. Current parking supply within the study area consists of 456 Gainsboro spaces, 9,364 downtown spaces and 4,608 Old Southwest spaces.

Demand within the block of the study area reflects peak accumulation of parked vehicles and existing land use. With an inventory of 14,428 parking spaces and a demand for 11,779 spaces, a surplus of 2,649 spaces exist in the Roanoke area. It is important to note that this surplus represents a picture of the study area as a whole, and does not mean that there are not any parking shortages in the smaller sub-area.

Numerous proposed developments are expected to take place within the next five years. Both the Gainsboro and Old Southwest areas will have limited expansion; however, the downtown area anticipates considerable growth in the near future. Major developments in the downtown area alone include: the Yard at Henry Street (a mixed land use development plan being undertaken by the Roanoke Neighborhood Development Corporation), a higher education center, an apartment complex, further business expansion for the Hotel Roanoke and Conference Center and a new fire station among numerous other projects. Using a combination of parking needs resulting from the above mentioned growth and existing parking demand, a basis is established on which future parking demand estimates can be made.

A review of the future parking supply and demand for Gainsboro, CBD and Old Southwest indicate a supply totaling 14,438 parking spaces, a demand for 12,974 and a surplus of 1,464. The parking summary indicates four areas of deficiency: downtown 1 area (221 spaces), downtown 2 area (36 spaces), downtown 3 area (90 spaces) and Old Southwest 4 area (261 spaces). A significant surplus reduction also occurs in Old Southwest Area 1, which changes from a surplus of 273 spaces today to an 89 space projected surplus in 2005. Surplus spaces are seen in the downtown 3 area and the Old Southwest 1 area, with various blocks lying on the east and center having significant numbers of excess spaces. However, large deficiencies also occur, with the Old Southwest 4 area having a projected 312 space deficit.

Alternative Parking Strategies:

A variety of parking strategies were considered for Roanoke; i.e.: increase parking supply, residential permit parking programs, preferential parking for car and van pools, reduced minimum parking requirements, parking maximums, shared parking, area wide parking caps, fringe parking and park and ride lots, time-based pricing, vehicle occupancy pricing, enforcement and marketing.

The Recommended Parking Plan:

Parking shortages in several of the core downtown areas are anticipated if parking conditions are not addressed. Downtown Roanoke is similar to many downtown areas in that parking shortages exist in areas of high demand, but the downtown, as a whole, has surplus parking.

This suggests that an appropriate approach is to provide some additional parking in these targeted high demand areas, while also better utilizing existing surplus parking. Generally, the highest priority for providing additional parking is the areas that short term parking demand – shoppers, visitors, etc. - is greatest. The better utilization of existing surplus parking, generally in areas adjacent to higher demand blocks, is most appropriate for long term (i.e. employee) parkers who tend to be willing to walk several blocks to their place of employment.

Residential parking permit programs, which entail the prevention of long term parking by commuters in residential communities have been very popular from their offset in the 1970's. For the Roanoke area, numerous subsections could be viable candidates for such program implementation. However, surpluses suggest disadvantages could outweigh advantages in this case.

Among some of the more realistic possibilities for parking solutions is the shared parking approach. This involves minimizing needs through utilization of existing and new parking facilities. This program allows two or more proximal developments to meet local zoning requirements while constructing fewer total parking spaces than would be required if the two developments were treated separately. Conditions allowing such an arrangement to take place are: close proximity to each participating facility, time periods of operation not conflicting, and legal enforceability. Enhanced parking conditions, increased user supply and availability in addition to increased convenience would be the results of such a plan.

Recommendations for Specific Areas Include:

Downtown 1 area - The Yard at Henry Street is projected to need additional parking (which currently is being planned). Parking charges will need to be minimal, otherwise, drivers will park in the adjacent neighborhood.

Downtown 2 area - A deficit of 36 spaces, associated with the proposed Railroad Station Visitor Center, suggest the need to acquire use of an additional 40 spaces.

Downtown 3 area - A garage structure, ideally in the former Heironimus Building area, is needed to meet future shortages. This structure could serve the entire core commercial area of the CBD.

Old Southwest 1 area - The YMCA expansion should include additional parking ensuring adequate parking supply in the area.

Old Southwest 4 area - It is assumed that the development of the College of Health Sciences Building Office Building will be responsible for ensuring parking supply equals demand.

Neighborhood Parking - Residential areas adjacent to commercial areas should be periodically reviewed for parking spillover. Simple parking surveys can be conducted to quantify any spillover. Measures such as increased enforcement, parking restrictions and permit parking can be considered.

Suggested Initial Strategic Steps to Take:

Ensure that Jefferson Street development involving the Heironimus Building area includes additional parking to serve commercial/retail core area;

More aggressively pursue a shared parking program, taking advantage of available parking in the downtown core, within walking distance for employees; and

Set up a process for evaluating residential area parking concerns.

Following discussion and questions by the Mayor and Members of Council, at 6:35 p.m., the Mayor declared the meeting in recess until 7:00 p.m., in the City Council Chamber.

On Monday, November 19, 2001, at 7:00 p.m., the Roanoke City Council reconvened in regular session in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

TAXES-YOUTH: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the Boys and Girls Clubs of Roanoke Valley, Inc., for designation of property identified as Official Tax Nos. 4240101 and 4240105, located at 1714 9th Street, S. E., to be exempted from taxation, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 9, 2001 and in The Roanoke Tribune on Thursday, November 15, 2001.

The City Manager submitted a communication advising that the Boys and Girls Clubs of Roanoke Valley, Inc., owns property described as Official Tax Nos. 4240101 and 4240105, located at 1714 9th Street, S. E.; the property will be used for the purpose of housing administrative offices and providing daily after school and summer activities for youth members in the southeast quadrant of the City; annual taxes due for fiscal year 2001-02 are \$6,491.54, with an assessed value of \$82,900.00 for the land and \$453,600.00 for the building; the Boys and Girls Clubs petitioned Council in October 2001, for adoption of a resolution in support of the organization obtaining tax-exempt status from the General Assembly; and the organization has voluntarily agreed to pay a 20% service charge in lieu of real estate taxes per Council's current policy.

It was further advised that the Boys and Girls Clubs of Roanoke Valley, Inc., currently receive financial support from the City in the amount of \$3,000.00 from the Human Services Committee and \$13,642.00 in Community Development Block Grant funds; loss of revenue to the City will be \$5,193.21 after a 20% service charge is levied in lieu of real estate taxes in the amount of \$1,298.33; the Commissioner of

the Revenue has determined that the organization is not exempt from paying real estate taxes by classification or designation under the Code of Virginia and the Internal Revenue Service recognizes the organization as a 501(c)3 tax-exempt organization.

The City Manager recommended that Council support the Boys and Girls Clubs of Roanoke Valley, Inc., exemption from taxation to the General Assembly, pursuant to Article X, Section 6(a)6 of the Constitution of Virginia.

Mr. White offered the following resolution:

(#35667-111901) A RESOLUTION supporting tax exemption of certain property in the City of Roanoke owned by the Boys & Girls Clubs of Roanoke Valley, Inc.; and used by it exclusively for charitable or benevolent purposes on a non-profit basis.

(For full text of Resolution, see Resolution Book No. 65, page 293.)

Mr. White moved the adoption of Resolution No. 35667-111901. The motion was seconded by Ms. Wyatt.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Resolution No. 35667-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

TAXES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of United Human Services Transportation System, Inc., for designation of property identified as Official Tax Nos. 1311221, 2410101, 2410301 - 2410306, inclusive, to be exempted from taxation, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 9, 2001 and in The Roanoke Tribune on Thursday, November 15, 2001.

The City Manager submitted a communication advising that the Unified Human Services Transportation System, Inc., which transacts business as RADAR, owns the property known as Official Tax Nos. 1311221, 2410101, 2410301 through 2410306, inclusive; property includes housing of administrative offices to provide an efficient

and cost effective transportation system to the elderly, disabled, indigent, and other persons who may require the provision of specialized transportation; annual taxes due for 2001-02 were \$4,466.06 on an assessed value of \$214,500.00 for the land and \$154,600.00 for the building; RADAR petitioned Council in November 2001, for adoption of a resolution in support of the organization obtaining tax-exempt status from the General Assembly on property located in the City of Roanoke; loss of revenue to the City will be \$3,572.85, after a 20 per cent service charge is levied by the City in lieu of real estate taxes and the service charge will be \$893.21; the Commissioner of the Revenue has determined that the organization is not exempt from paying real estate taxes by classification or designation under the Code of Virginia; and the Internal Revenue Service recognizes the organization as a 501(c)3 tax-exempt organization.

The City Manager recommended that Council support the request of RADAR for exemption from taxation to the General Assembly, pursuant to Article X, Section 6(a)6 of the Constitution of Virginia.

Mr. Carder offered the following resolution:

(#35668-111901) A RESOLUTION supporting tax exemption of certain property in the City of Roanoke owned by the Unified Human Services Transportation System, Inc., and used by it exclusively for charitable or benevolent purposes on a non-profit basis.

(For full text of Resolution, see Resolution Book No. 65, page 295.)

Mr. Carder moved the adoption of Resolution No. 35668-111901. The motion was seconded by Mr. Hudson.

The Mayor inquired if there were persons present who would like to address Council with regard to the request; whereupon, Wilburn C. Dibling, Jr., Attorney, appeared before Council in support of the request of RADAR.

Mr. Bestpitch requested information on the precise location of the property requested for tax exemption; whereupon, Mr. Dibling advised that the garage and operations center are located on Salem Avenue, and RADAR has acquired property on Johnson Avenue and 30th Street, N. W., which are also included in the request for tax exemption. He stated that RADAR proposes to construct new facilities on Johnson Avenue, at which time the property on Salem Avenue would be sold and returned to the City's tax roles.

With regard to future requests for real estate tax exemption; Mr. Bestpitch requested that a street address be included in the application.

Ms. Wyatt expressed her intent to vote against the request of RADAR. In clarification, she stated that the services provided by RADAR should be from the client's personal residence to the RADAR vehicle and vice versa, in order to address the needs of a clientele requiring additional assistance. Upon submitting her proposal to RADAR, she explained that RADAR stated that the question relates to insurance/liability issues; however, RADAR has requested real estate tax exemption on its property which will provide an additional \$3,500.00, yet RADAR is unwilling to apply the additional funds toward insurance coverage for its clients.

The Mayor advised that he will support the request of RADAR; however, all persons/organizations should be responsible for paying their real estate taxes, and Council should use its discretion in authorizing rebates.

Resolution No. 35668-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: Council Member Wyatt-----1.

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of AMVETS-Post #40, John Harvey Memorial, to rezone property located at 917 Tazewell Avenue, S. E., identified as Official Tax No. 4112106, from RM-2, Residential Multi-family, Medium Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 2, 2001 and Friday, November 9, 2001, and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the City Planning Commission advising that the purpose of the petition is to rezone the property for use as a parking lot for the adjacent AMVETS post, pursuant to the following conditions, was before Council:

1. That the property will be developed in substantial conformity with the concept plan prepared by David A. Bess, L.L.C., dated August 29, 2001, subject to any changes required by the City during site plan review.

2. There will be no curb cut where the property to be rezoned adjoins Tazewell Avenue, S. E.
3. The Petitioner will retain the existing concrete retaining wall near the northerly boundary of the property to be rezoned.

The City Planning Commission recommended that Council approve the request for rezoning, subject to the proffered conditions.

Mr. Carder offered the following ordinance:

(#35669-111901) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 411, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 297.)

Mr. Carder moved the adoption of Ordinance No. 35669-111901. The motion was seconded by Mr. Hudson.

The Mayor inquired if there were persons present who would like to address Council with regard to the request; whereupon, James Joyce, Attorney, appeared before Council in support of the request of his client.

Mr. Earl Elkins, 921 Tazewell Avenue, S. E., appeared before Council in support of the request.

Mr. Bestpitch expressed concern that the City Planning Commission has presented its recommendation to Council on a four-three vote which should warrant close scrutiny by Council. He stated that City staff recommended denial of the request because it is not consistent with the City's Comprehensive Plan, it will encourage more off street parking in a village center, increase impervious surface, expand an excessively large surface parking lot, and expand commercial uses beyond a defined village center. He inquired if there is a way to provide a more suitable surface other than asphalt. He stated that there was considerable discussion regarding economic development, village centers, improving housing in neighborhoods, and limiting the amount of impervious surfaces to reduce water run off in the City's Comprehensive Plan. Although he appreciates the work of the AMVETS organization, he inquired as to when Council intends to become serious about implementing the Comprehensive Plan. He referred to the current availability of on street parking on 9th Street, 10th Street and Tazewell Avenue. He stated that it was his intent to vote against the rezoning in order to support not only the technical requirements of the Comprehensive Plan, but the vision for the Comprehensive Plan, the concepts that shape the Comprehensive Plan and the direction that is more advantageous for the City of Roanoke in the long term.

Ordinance No. 35669-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Carder, Harris,
and Mayor Smith-----6.

NAYS: Council Member Bestpitch-----1.

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of A. Victor Thomas, Dorothy L. Thomas, Annie B. Dudley and TLC Properties, Inc., to rezone properties on Orange Avenue, N. E., identified as Official Tax Nos. 3210101, 3210105 - 3210119, inclusive, and an undeveloped portion of Light Street, N. E., from LM, Light Manufacturing District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioners, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 2, 2001 and Friday, November 9, 2001, and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the City Planning Commission advising that the purpose of the request for rezoning is to place an existing convenience store in a conforming zoning district and allow for future expansion and development of the tract of land for additional commercial uses which are undetermined at this time, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, inasmuch as the proposed zoning and future development is consistent with the Comprehensive Plan in that it will encourage appropriate commercial redevelopment at the intersection of Orange Avenue and 13th Street, N. E.

Mr. Bestpitch offered the following ordinance:

(#35670-111901) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 321 and 322, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 299.)

Mr. Bestpitch moved the adoption of Ordinance No. 35670-111901. The motion was seconded by Mr. White.

W. F. Mason, Attorney, Jr., appeared before Council in support of the request of his clients.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Ordinance No. 35670-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City Planning Commission to rezone properties located on Vinyard Avenue, N. E., described as Official Tax Nos. 7040601 - 7040606, inclusive, from LM, Light Manufacturing District, to RS-3, Residential Single Family District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, November 4, 2001 and Saturday, November 10, 2001, and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the City Planning Commission advising that the purpose of the application is to rezone the lots to their existing residential use; said properties are currently used as single-family dwellings, but are zoned for light manufacturing purposes; and Official Tax No. 7040701 is vacant land, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, inasmuch as the area is inappropriately zoned for light manufacturing and should be zoned residential to reflect its existing land use.

Mr. White offered the following ordinance:

(#35671-111901) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 704, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 300.)

Mr. White moved the adoption of Ordinance No. 35671-111901. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Ordinance No. 35671-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposed amendment of Section 36.1-397, Zoning, Code of the City of Roanoke (1979), as amended, by adding a new subsection (11) manufacturing establishments as a permitted use in the INPUD, Institutional Planned Unit Development District, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 2, 2001 and Friday, November 9, 2001, and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the City Planning Commission advising that the purpose of the proposed amendment is to allow for manufacturing establishments as a permitted use in the Institutional Planned Unit Development District (INPUD), was before Council.

The City Planning Commission recommended that Council approve the amendment to Section 36.1-397 of the Code of the City of Roanoke (1979), as amended, to allow for manufacturing establishments as a permitted use in the INPUD, inasmuch as the proposed amendment is consistent with the Vision 2001 Comprehensive Plan and would provide greater flexibility for applicants considering using the INPUD and address technological changes in the medical field.

Mr. Hudson offered the following ordinance:

(#35672-111901) AN ORDINANCE amending and reordaining §36.1-397, Permitted uses, Subdivision H, INPUD, Institutional Planned Unit Development District, Division 5, Special District Regulations, Article III, District Regulations, Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, by the addition of a new subsection (11) to allow manufacturing establishments as a permitted use in the INPUD, Institutional Planned Unit Development District; and dispensing with the second reading of the title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 302.)

Mr. Hudson moved the adoption of Ordinance No. 35672-111901. The motion was seconded by Mr. Harris.

Following discussion, it was the consensus of Council to delete the word "new" from §36.1-397 Permitted Uses, Subsection 11, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Ordinance No. 35672-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

BUILDINGS/BUILDING DEPARTMENT-CITY PROPERTY-WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES-IMAX THEATRE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property, containing 0.858 acre, identified as Official Tax No. 4010205, to the Western Virginia Foundation for the Arts and Sciences for design, development and construction of a new building or complex to house the Art Museum and IMAX Theatre, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 9, 2001, and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the City Manager advising that an Agreement between the City and the Art Museum of Western Virginia for the design, development and construction of a new building or complex to house the Art Museum and IMAX Theatre was entered into on October 4, 2000; the City wishes to convey property containing 0.858 acre, identified as Official Tax No. 4010205 to the Western Virginia Foundation for the Arts and Sciences for construction of the project; and actual conveyance would not be made until such time as the Foundation certifies to the City that the Art Museum has a binding contract with a contractor to commence construction of the project, and that the property is needed for such purpose, was before Council.

The City Manager recommended, following the public hearing, that she be authorized to execute the appropriate documents to donate the property to the Western Virginia Foundation for the Arts and Sciences, such documents to be approved as to form by the City Attorney, with the Grantee to be responsible for all title work, surveying, plat preparation, and preparation of legal documents.

Mr. Bestpitch offered the following ordinance:

(#35673-111901) AN ORDINANCE authorizing the City Manager to execute the necessary documents providing for conveyance for nominal consideration to Western Virginia Foundation for the Arts and Sciences that property owned by the City, bearing Official Tax No. 4010205, containing 0.858 acre, located between Norfolk and Salem Avenues and west of Market Street, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 303.)

Mr. Bestpitch moved the adoption of Ordinance No. 35673-111901. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35673-111901 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

CITY CODE-LEGISLATION-ZONING: Pursuant to action of the Legislative Committee, the City Clerk having advertised a public hearing for Monday, November 19, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke that the General Assembly of Virginia make

certain amendments to the Roanoke Charter of 1952, as amended, in order to remove certain archaic language and outdated, outmoded and unnecessary provisions therein, to conform certain provisions in the Charter to current State enabling laws, to streamline the City's legislative process, to require that certain Council-Appointed officers reside within the City, to provide for the appointment of a deputy and assistant city managers, to increase the threshold for bidding and contracts for public improvements from thirty to fifty thousand dollars, to increase the threshold for change orders that must be approved by City Council from twenty-five thousand dollars to fifty thousand dollars or twenty-five per cent of the contract, whichever is greater, to increase the size of the City's Board of Zoning Appeals to seven members and to delete the requirement that the Board authorize special exceptions to the City's zoning ordinance, and, in general to make more efficient the operation of City government, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Thursday, November 8, 2001 and in The Roanoke Tribune on Thursday, November 15, 2001.

A report of the Legislative Committee advising that the Committee reviewed the proposed amendments to the City Charter and concurred in the scheduling of a public hearing in order to obtain the views of citizens on proposed amendments, was before Council.

The Legislative Committee recommended that Council adopt a resolution requesting the proposed amendments to the City Charter. It was noted that if Council concurs in and adopts the proposed resolution, State Code requires that the City forward the resolution and certain other documents to the City's legislative delegation, with the request that a bill be introduced in the 2002 Session of the General Assembly to amend the City Charter as proposed.

Mr. White offered the following resolution:

(#35674-111901) A RESOLUTION requesting the 2002 Session of the General Assembly to amend various sections of the existing Roanoke Charter of 1952 in order to modernize it, remove certain provisions and language therefrom and to provide in general for more efficient and effective legislative processes and municipal operations in the City.

(For full text of Resolution, see Resolution Book No. 65, page 304.)

Mr. White moved the adoption of Resolution No. 35674-111901. The motion was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to address the matter; whereupon, Joel M. Richert, Member, Board of Zoning Appeals, spoke in connection with deleting the requirement that the Board of Zoning Appeals authorize special exceptions to the City's Zoning Ordinance (page 72 of the proposed City Charter amendments), which, in effect, would abolish the authority of the Board to rule on special exceptions. She advised that members of the Board of Zoning Appeals are required by Council to participate in an intensive training course consisting of four days with 12 weeks of homework assignments on zoning cases. She stated that Board members understand the intent of the Zoning Ordinance and are qualified to hear requests for special exceptions; and each zoning classification has certain permitted uses by law, however, special exceptions are sometimes permitted with a hearing and may be subject to certain conditions, or rejected as inappropriate. She explained that in order to protect adjacent property owners, a thorough knowledge of the City's Comprehensive Plan is important; in the year 2000, the Board of Zoning Appeals heard 53 special exception cases and each case lasted approximately 30 minutes; and there are instances when a special exception and a variance are both needed in the same case; therefore, it is appropriate that such cases be heard at the same time. She requested that her concerns be considered as a part of proposed City Code revisions which are currently in progress and in conjunction with a consultant's study of the Zoning Ordinance which is intended to address archaic language and recommend revisions.

There was discussion in which it was pointed out that the recommendation was the result of a report of a subcommittee composed of Vice-Mayor Carder, Council Member Wyatt, the City Manager, City Attorney and City Clerk with regard to restructuring of certain Council-Appointed authorities, boards, commissions and committees. The City Manager advised that a survey conducted by City staff revealed that in a majority of communities, members of the Board of Zoning Appeals are appointed by the Circuit Court; however, the Roanoke City Charter allows appointments to be made by City Council. She spoke in support of the abovereferenced proposed Charter amendment.

Following further discussion of the matter, Mr. Harris moved that the proposed City Charter amendments be amended on page 72 to retain the following language, thereby allowing the Board of Zoning Appeals to continue to hear special exceptions: "To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance." The motion was seconded by Mr. Carder and adopted, Mayor Smith voted no.

No other persons wishing to address Council, Resolution No. 35674-111901 was adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, White, Harris, and Carder-----6.

NAYS: Mayor Smith-----1.

At this point, the Mayor announced that RVT Channel 3 coverage of the City Council meeting would conclude.

OTHER HEARING OF CITIZENS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred immediately, without objection by Council, for response, report or recommendation to Council.

COMPLAINTS-CITY COUNCIL: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., requested clarification with regard to how City Council meetings are conducted, i. e.: confusion over time limitations established for speakers, etc.

COMPLAINTS-CITY COUNCIL: Mr. Robert D. Gravely, 617 Hanover Avenue, N. W., expressed concern with regard to inner City needs, advantages offered by the City to big businesses, safety of elderly citizens, excessive traffic and speeding on Orange Avenue, N. E., inadequate street lighting in certain areas of the City, certain practices of the Roanoke Redevelopment and Housing Authority, drug trafficking in the City of Roanoke, and inadequate wages for City workers.

At 8:25 p.m., the Mayor declared the Council meeting in recess for two Closed Sessions which were previously approved by Council.

At 8:45 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

At 8:50 p.m., the Mayor declared the City Council meeting in recess to be reconvened on Monday, November 26, 2001, at 9:00 a.m., at Virginia's Explore Park, 3900 Rutrough Road, S. E., at which time Council will participate in a joint retreat with the Roanoke City School Board.

The City Council meeting reconvened on Monday, November 19, 2001, at 9:00 a.m., in the Blue Ridge Room at the Arthur Taubman Welcome Center, Explore Park, for a City Council/Roanoke City School Board Planning Retreat, with Mayor Ralph K. Smith and School Board Chair Sherman P. Lea presiding.

CITY COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., Linda F. Wyatt, William White, Sr., and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

SCHOOL TRUSTEES PRESENT: Charles W. Day, Marsha W. Ellison, Gloria P. Manns, Melinda J. Payne, Ruth C. Wilson, Brian J. Wishneff, and Chairman Sherman P. Lea-----7.

ABSENT: None-----0.

STAFF PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Mary F. Parker, City Clerk; E. Wayne Harris, Superintendent, Roanoke City Public Schools; and Cindy L. Lee, Clerk to the School Board.

COUNCIL-SCHOOLS: The retreat was facilitated by Lyle Sumek, Lyle Sumek Associates. Mr. Sumek advised that the proposed agenda would consist of the following items, but could be revised as the day progresses:

- I. Team Work and Leadership
- II. Understanding:
 - How we see ourselves
 - How we see others
 - How we think others see us
 - Message to others
- III. Quality Education:
 - Definition
 - Major Challenges

IV. Goals and Responsibilities:

Definition of success
Need to be successful

V. Common Agenda for 2002:

Issues
Priorities

VI. Process for Working Together:

Communications
Problem-solving mechanism

VII. Other Topics:

VIII. Commitments to Action:

Mr. Sumek advised that the desired outcomes will be: a better understanding of Roanoke's children - common goal, understanding and respecting roles and responsibilities of each other, the process for working together, and moving beyond the past.

Following discussion with regard to the definition of a leader, Mr. Sumek requested that Council Members and School Trustees break into two groups and respond to the following questions:

How do we see ourselves?
How do we see others?
How do we think others see us?
Message to others?

He asked that the two groups identify the top two - three responses for each question, with the City Manager and the School Superintendent serving as recorders for their respective groups.

Following completion of the exercise, the two groups reported their responses which generated discussion regarding accountability issues, the recent School Board audit, and the need to open the lines of communication between the two bodies.

Mr. Sumek summarized responses to the above exercise, i.e.:

Be sensitive to the forum and sharing of information,

It is okay to be passionate about an issue,

Separate the individual message from the collective message,

Make sure that the message is clear,

Take responsibility as the receiver of the message to clarify the message,

Avoid over reacting to one incident,

Re-establish communications,

Learn how to work more effectively together, and

When there is a crisis, continue to be willing to communicate and to agree that the two bodies need to sit down together and work out a solution.

At 12:00 noon, the meeting was declared in recess for lunch.

At 12:25 p.m., the meeting reconvened.

(At this point, Council Member Harris left the meeting.)

Council Members and School Trustees were requested to break into groups of three to respond to the following questions:

The best education in Roanoke means?

What are the major challenges over the next one to five years?

(At 12:45 p.m., Council Members Hudson and White left the meeting.)

As a result of the morning exercise, Mr. Sumek summarized the following points:

CITY COUNCIL:

Establish vision and goals,

Determine policy,

Develop financial policy and manage financial resources,

Establish guidelines and hold the School Board accountable,

Work with the School Board to share information, to solve problems and to address issues,

Be an advocate of the City and quality education/serve as the City's corporate board of directors.

SCHOOL BOARD:

Determine policy/School system vision,

Establish goals and direct vision budget,

Be an advocate for the schools and quality education,

Work with Council to share information, to solve problems and to address issues,

Monitor "manage" school resources,

Listen to the community,

Educate the community on education in school issues and opportunities, and

Serve as a Board of Directors for the education system.

Council Members and School Trustees participated in an exercise in which they were requested to respond to the following questions:

Identify what action you are willing to take to contribute to being successful.

What do you need from the other group to be successful?

Identify from your group's perspective four of the most important short term issues that need attention (issues for joint problem solving).

Mr. Sumek advised that the session is intended to lay the foundation for the future. He urged that the two bodies not over commit because it is easy to create false expectations that sometimes are not fulfilled. He stated that within the next week, he would provide the City Manager with a summary of the retreat from his perspective and urged that two Council Members and two School Trustees review the material and submit a report summarizing the retreat.

Actions for success were identified as follows:

To foster better communications by following protocol, i.e.: the Mayor will communicate with the School Board Chair and the School Board Chair will communicate with the Mayor,

Reassess the joint meeting format,

Improve communications,

Be more sensitive to comments made in public.

Joint efforts by Council and the School Board to market the school system.

Re-institute monthly presentations by the School Board at City Council meetings.

Joint efforts include:

Athletic facilities,

Market schools in the community,

Communication piece,

Budget.

Collective actions include:

Establish procedures for joint problem solving using two School Board Members and two City Council Members to address issues,

Establish a "buddy" system as follows:

Mayor Smith	-	Chairman Lea
Vice-Mayor Carder	-	Mr. Wishneff
Mr. Hudson	-	Ms. Willson
Ms. Wyatt	-	Ms. Payne
Mr. White	-	Ms. Manns
Mr. Bestpitch	-	Mr. Day
Mr. Harris	-	Ms. Ellison

Mr. Sumek suggested that by the end of the fiscal year, each School Trustee should have contacted their Council "buddy" on at least two occasions.

The City Manager offered the assistance of City staff to present briefings to the School Board with regard to City projects or programs of interest.

There was discussion with regard to establishing four groups to address issues relating to athletics, budget, marketing and coordination of services which would be composed of two School Board Members and two City Council Members, and Mr. Sumek suggested that it would be advantageous to appoint individuals with differing perspectives.

As a follow-up to the retreat, Mr. Sumek suggested that the City Manager, the Superintendent of Schools, the Mayor, the Chair of the School Board, a City Council Member and a School Trustee review the summary of information that will be forwarded to the City Manager. He advised that the real challenge is where do the two bodies go from this point, and the success of the retreat will be determined by the actions of each individual, along with the collective actions of the Council and the School Board.

Chairman Lea called attention to a study of the Roanoke City Schools Human Resources Department by individuals involved in the Human Resources field from across the Commonwealth of Virginia. He stated that the group spent a considerable amount of time interviewing staff of the Human Resources Department, School Trustees and school principals, etc., and approximately ten commendations were made and 29 recommendations were submitted for improvements which are proposed for implementation between now and July 1, 2002. He explained that the School Board and School Superintendent are addressing the recommendations and the City's Municipal Auditor has been provided with a copy of the recommendations.

There was discussion with regard to the issue of sports districts and implementing a Roanoke Valley Sports District to be composed of four Roanoke County schools, the City of Salem and the City of Roanoke which could be another Blue Ridge District. It was noted that there have been discussions with representatives of Roanoke County and the City of Salem who have expressed an interest in participating.

There being no further business, the meeting was adjourned at 3:15 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

CITY OF ROANOKE**CITY COUNCIL**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

January 22, 2002

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

I wish to request a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,



C. Nelson Harris, Chair
City Council Personnel Committee

CNH:sm

C-3



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Budget Study Calendar

Forwarded for your approval is the budget study calendar for the fiscal 2003 budget. The calendar has been adjusted from the draft version to allow for a day between the election and budget study.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:afs

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

CM02-00011

**CITY COUNCIL CALENDAR OF EVENTS
FOR BUDGET PREPARATION ACTIVITIES
FISCAL YEAR 2002-2003**

<u>Date</u>	<u>Budget Preparation Activities</u>
March 8, 2002	Financial Planning Session with City Council.
April 11, 2002	Recommended budget document delivered to City Council members.
April 15, 2002	City Manager presents recommended budget to City Council.
April 29, 2002	Public hearings on recommended budget and tax rates.
May 9-10, 2002	City Council budget study work sessions.
May 13, 2002	City Council adopts General Fund, School Fund, Proprietary Fund budgets and an Update to the HUD Consolidated Plan and approves an annual appropriation ordinance.

CITY OF ROANOKE
REAL ESTATE VALUATION

215 Church Avenue, S.W., Room 250
Roanoke, Virginia 24011

WILLARD N. CLAYTOR
Director

Telephone: (540) 853-2771
Facsimile: (540) 853-2796

January 18, 2002

Honorable Mayor Ralph K. Smith
and Members of Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

As prescribed by law, the Office of Real Estate Valuation has completed the Annual General Reassessment Program for Fiscal Year 2002-03. "Change of Assessment Notices" were mailed to property owners January 18, 2002.

The real estate tax base increased approximately **3.3%** due to this year's annual reassessment. This figure is subject to appeals and excludes new construction.

New construction totals \$84 million dollars and will add another **2.0%** to the tax base. This up slightly from last year's 1.9% rate and represents \$45 million dollars of residential and \$39 million dollars of commercial construction. Last year's new construction totaled \$73 million dollars.

Overall, the general reassessment program and new construction indicate growth of **5.3%** in the real estate tax base to July 1, 2002. Last year's growth was 5.4%.

Please keep in mind the values will be adjusted for tax freezes, tax abatements and other miscellaneous items to arrive at a revenue estimate for the next fiscal year.

Unlike the financial markets, the real estate markets have remained relatively strong during the last two years of weak economic growth. Low interest rates generally, and attractive mortgage rates in particular, have helped the real estate markets weather this recessionary environment. The rates have also fueled an increase in new home construction, remodel and repair activity.

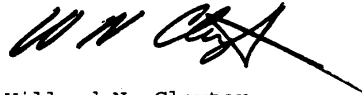
Members of Roanoke City Council
January 18, 2002
page 2

Individual property assessments vary widely from the citywide average of 3.3%. Most assessment changes will range from 3% to 7%, with a majority at 5% or less. If an owner has made improvements to the property during the year that increased its value, that property owner may receive an increase higher than others.

Assessment Appeals will be conducted from January 18 through February 15, 2002. I would be most happy to respond to any inquiries you may receive from our citizens about the reassessment program. I expect the Circuit Court to appoint the Board of Equalization during the month of March.

Should you need additional information or assistance with an assessment matter, please feel free to call me.

Respectfully submitted,



Willard N. Claytor
Director

Attachment

c: The Honorable Sherman A. Holland, Commissioner of the Revenue
The Honorable David C. Anderson, City Treasurer
Darlene Burcham, City Manager
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
William Hackworth, City Attorney
Drew Harmon, Municipal Auditor



BUSINESS

AFTERNOON NEWS UPDATES
Weekdays by 4 p.m.



FRONT PAGE
LOCAL NEWS
NEW RIVER CURRENT
SPORTS
EDITORIALS
NRV ROANOKE
EXTRA FEATURES
BUSINESS
NEIGHBORS
CLASSIFIEDS
COLUMNISTS
COMICS
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OBITUARIES
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TECHNOLOGY
UVA GAMEZONE
VA TECH GAMEZONE
WEDDINGS

PAST 7 DAYS ARCHIVES NEWS TIPS SUBSCRIBE ADVERTISE CONTACT US

Saturday, January 12, 2002

December showed a 41% increase in closings, with a median price of \$127,000

Roanoke-area home sales strong in uncertain times

"I've been selling real estate for 23 years and 2001 is the best year I've ever had," said a real estate agent.

By KEISHA STEWART
THE ROANOKE TIMES

Home sales in the Roanoke Valley remained strong during the fall, even after the September terrorist attacks and anthrax scares caused some to nest at home.



According to the monthly reports released by the Roanoke Valley Association of Realtors, from October to December, Roanoke Valley home buyers closed contracts on 1,106 existing and new homes, up 14 percent from the same three months in 2000. Home buyers closed contracts on 968 homes for the same period in 2000.

September is typically a month when home sales start slowing, and the terrorist attacks caused immediate business to halt for some real estate agents. But browsing and buying picked back up after a short lull.

Despite the war in Afghanistan and the recession, it appears that activity in the Roanoke Valley housing market is remaining steady, due mostly to low interest rates for home loans.

"Roanoke is an area that generally doesn't see the huge swings in the market," said Tom Wilson, president of the Realtors association and vice president of sales and marketing with Radford & Associates in Roanoke County.

The Realtors' report includes home sales in Roanoke, Salem, Vinton, Roanoke County, Botetourt County, Craig County and portions of Bedford and Franklin counties.

Home sales generally take 30 to 60 days to close, so the group's report typically reflects sales activity one to two months before each monthly

<http://www.roanoke.com/roatimes/news/story124221.html>

01/16/2002



report.

October showed a 9 percent increase in home closings from last year. The median price was \$125,000. November stayed about even, with an increase of less than 1 percent; the median home price was \$129,950. And December showed a 41 percent increase in home closings, with a median price of \$127,000.

"I see a good, strong market," said Viola Campbell, owner of Campbell Realty in Roanoke. "I've been selling real estate for 23 years and 2001 is the best year I've ever had."

With the exception of June, when home sales were down 5 percent, housing sales appeared to be booming each month last year.

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5.a.

CITY OF ROANOKE
CITY COUNCIL

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

January 22, 2002

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

I would like to discuss at the City Council meeting on Tuesday, January 22, 2002, a program referred to as, "Roanoke Shining Stars Recognition". Following the discussion, I will ask that the matter be referred to the City Manager.

Sincerely,



William H. Carder
Vice-Mayor

WHC:MFP:sm

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5. b.

CITY OF ROANOKE**CITY COUNCIL**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

January 22, 2002

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

I would like to discuss at the City Council meeting on Tuesday, January 22, 2002, the matter of increasing the admissions tax on a City-wide basis (non-profit arts and cultural organizations funding). Following the discussion, I will ask that the matter be referred to fiscal year 2002-03 budget study.

Sincerely,



William H. Carder
Vice-Mayor

WHC:MFP:sm

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Water Conservation Tip of the
Week

This is to request space on Council's regular agenda for a 5-minute briefing on the above
referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ca

c: City Attorney
Director of Finance
City Clerk



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Management and
 Operation Services for
 Various City Owned
 Parking Facilities

Background:

Effective December 17, 2001, the City contracted with Central Parking Systems of Virginia, Inc., d/b/a Allright Roanoke Parking, Inc. (Allright) for management and operation services for the new Gainsboro Parking Garage and Gainsboro Surface Parking Area. The contract is effective until July 31, 2002. Allright also operates and manages all other City owned and/ or controlled parking facilities for the City under a five year contract which is effective until July 31, 2002. Prior to the opening of the Gainsboro Parking Garage and Gainsboro Surface Parking Area, the City's Norfolk Avenue surface parking lot was utilized by Norfolk Southern as part of an agreement in which the railroad provided a like number of spaces for use by the Roanoke Higher Education Center. Now that parking is being made available with the opening of the Gainsboro Parking Garage and the Gainsboro Surface Parking Area, the Norfolk Avenue surface parking lot has been reopened to public use and will again be managed and operated for the City by Allright.

Considerations:


In order to provide for appropriate accounting for the management and operation of the Gainsboro Parking Garage, the Gainsboro Surface Parking Area and the Norfolk Avenue surface parking lot, revenues estimates and expense budgets need to be established. Attachments 1-3 detail the anticipated revenues and requested expense budgets related to the operation of these facilities.

Honorable Mayor and Members of Council
January 22, 2002
Page 2

Recommended Action:

City Council approve the attached budget ordinance to appropriate funding and establish revenue estimates for the Gainsboro Parking Garage, the Gainsboro Surface Parking Area and the Norfolk Avenue surface parking lot.

Respectfully submitted,


Darlene L. Bureham
City Manager

DLB:djm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Elizabeth Neu, Director of Economic Development
Deborah J. Moses, Parking Coordinator

#CM02-00009

Norfolk Avenue Surface Parking Budget 2002	Code	Amount
Profession Services Management Fee	2010	\$16,800
Total Expenses		\$16,800
Revenues Monthly	0579	21,420
Revenues Short Term	0580	27,600
Total Revenues		\$49,020

Norfolkavsurface02

Gainsboro Surface Lot 2002 Budget	Expense Code	Amount
Professional Operating and Management Services	2010	\$39,650
Electricity	2022	150
Maintenance	2050	700
Total Expenses		40,500
Lot Rev Monthly	0581	15,000
Lot Rev Daily	0582	25,500
Total Lot Revenues		40,500

Gainsborosurface02

Gainsboro Parking Garage 2002 Budget	Expense Code	Amount
Professional Services	2010	25,612
Telephone	2020	1,554
Electricity	2022	12,000
Water/Sewer	2026	150
Expendable equip	2035	500
Motor Fuel for Generator	2038	75
Maintenance Equipment	2048	500
Maintenance Equipment-Building-start up	2050	9,000
Risk Management	7017	3,404
Maintenance- Buildings-City	7050	1,500
Total Garage Expenses		54,295
Garage Rev Monthly	0577	16,000
Garage Rev Daily/ Weekly	0578	2,500
Retained Earnings		3,575

Total Garage Revenues		\$22,075
-----------------------	--	----------

gainsborogarage02

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Transportation Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Transportation Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating	\$ 2,187,598
Norfolk Avenue Surface Lot (1)	16,800
Gainsboro Surface Lot (2-4)	40,500
Gainsboro Parking Garage (3-14)	54,295

Revenues

Norfolk Avenue Surface Lot (15-16)	\$ 49,020
Gainsboro Surface Lot (17-18)	40,500
Gainsboro Parking Garage (19-20)	22,075

Retained Earnings

Retained Earnings Available for Appropriation (21)	\$ 3,575
--	----------

1) Fees for Professional Services	(007-540-8210-2010)	\$ 16,800
2) Fees for Professional Services	(007-540-8211-2010)	39,650
3) Electricity	(007-540-8211-2022)	150
4) Maintenance - Buildings	(007-540-8211-2050)	700
5) Fees for Professional Services	(007-540-8235-2010)	25,612
6) Telephone	(007-540-8235-2020)	1,554

7) Electricity	(007-540-8235-2022)	\$ 12,000
8) Water/Sewer	(007-540-8235-2026)	150
9) Expendable Equipment	(007-540-8235-2035)	500
10) Motor Fuel for Generator	(007-540-8235-2038)	75
11) Maintenance - Equipment (<\$5,000)	(007-540-8535-2048)	500
12) Maintenance - Buildings	(007-540-8535-7050)	9,000
13) Risk Management	(007-540-8535-7017)	3,404
14) Building Maintenance	(007-540-8535-7050)	1,500
15) Revenues Monthly	(007-110-1234-0579)	21,420
16) Revenues Short Term	(007-110-1234-0580)	27,600
17) Lot Revenue Monthly	(007-110-1234-0581)	15,000
18) Lot Revenue Daily	(007-110-1234-0582)	25,500
19) Garage Revenue Monthly	(007-110-1234-0577)	16,000
20) Garage Revenue Daily/Weekly	(007-110-1234-0578)	2,500
21) Retained Earnings - Available for Appropriation	(007-3348)	3,575

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall
be in effect from its passage.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Leased Space from GRTC
 for Department of
 Technology

The Greater Roanoke Transit Company (GRTC) owns the Campbell Court Transportation Center located at 17-31 Campbell Avenue S.W., and leases office space within the facility. GRTC currently leases 2,245 square feet of space on the second floor to the City of Roanoke (City) for a total annual rent of \$8,217.50. This rent is based upon \$9.50 sq. ft. for 865 sq. ft. of finished office space, with no rent charged for the additional 1,380 sq. ft. of unfinished space since it was not significantly used by the City. The City uses the space for the Department of Technology's computer workstation support and offices. The five year Lease agreement, which expires January 31, 2002, has no option years available. The City would like to enter into a new Lease Agreement beginning February 1, 2002, for two years, and have the option for three additional years. The City now intends to use the additional 1,380 square feet of space, which is directly adjacent, and connected to the above mentioned 865 square feet. This space is needed to provide storage for approximately 300 older PCs being replaced in the PC Replacement program and the staging/set-up of the 300 new PCs. Warehouse space is no longer available at the Public Works Center. This means that the total square footage to be used by the City in the proposed Lease Agreement is 2,245 sq. ft.

GRTC has agreed with the City that for the first five months of the Lease Agreement, February 1, 2002, through June 30, 2002, the annual rental cost will be the same as the prior lease rate, \$9.50 sq. ft. for the original 865 sq. ft. of finished space for a total of \$3,423.95. For the next seven months, July 1, 2002, through January 31, 2003, the rental cost will be \$10.00 sq. ft. for the entire 2,245 square feet since the City will be using both the finished and unfinished spaces for a total of \$13,095.83. This is a total rental cost for the first year of \$16,519.78.

Honorable Mayor and Members of Council
January 22, 2002
Page 2

The annual rent for the remaining years are as follows:

Year 2	(2/1/03-1/31/04)	\$10.50/sq. ft. X 2,245 sq. ft. = \$23,572.50
Option Year 1	(2/1/04-1/31/05)	\$11.00/sq. ft. X 2,245 sq. ft. = \$24,695.00
Option Year 2	(2/1/05-1/31/06)	\$11.50/sq. ft. X 2,245 sq. ft. = \$25,817.50
Option Year 3	(2/1/06-1/31/07)	\$12.00/sq. ft. X 2,245 sq. ft. = \$26,940.00

Funding for the remainder of fiscal year 2002 is available in account 013-430-1601-3075. Funding will be included in the recommended operating budgets for the Department of Technology (account 013-430-1601-3075) for the budget fiscal years 2003 through 2007.

Recommended Action(s):

Authorize the City Manager to execute a Lease Agreement between the City and GRTC for the term and rental cost as set forth above in a form approved by the City Attorney.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/js

Attachments: 1

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
George C. Snead, Assistant City Manager
Barry Key, Director of Management and Budget
Joe Slone, Director of Technology

#CM02-00005

LEASE AGREEMENT

THIS LEASE AGREEMENT is dated this first day of February, 2002, by and between GREATER ROANOKE TRANSIT COMPANY, hereinafter referred to as "Lessor", and the City of Roanoke, Virginia, hereinafter referred to as "Lessee":

WHEREAS, the Lessor owns certain properties in Roanoke, Virginia, commonly referred to as the Campbell Court Transportation Center, hereinafter referred to as the "Center"; and

WHEREAS, the Lessee desires to lease a portion of the Center and enjoy the use of other common areas incident thereto for computer workspace and offices.

NOW, THEREFORE, IN CONSIDERATION of the recitals and mutual covenants contained herein, the parties hereto agree as follows:

SECTION 1. LEASED PREMISES.

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, subject to and upon the terms and conditions hereinafter set forth, that certain premises in the Center described as follows:

2,245 square feet located on the second floor at 31-I Campbell Avenue S.W., Roanoke Virginia, and identified as such on Exhibit "A" which is attached to and made a part of this Lease Agreement, and hereinafter referred to as "Leased Premises."

Lessor further covenants to Lessee that for the term of its Lease of the Leased Premises, Lessee, its employees, visitors, invitees, agents and licensees shall have the right of ingress and egress

over and through the common use areas of the Center during the normal business hours of operation of the Center as determined in the sole discretion of Lessor.

SECTION 2. TERM.

(A) Lessee shall have and hold the Leased Premises for a term of two (2) years commencing on February 1, 2002, and ending on January 31, 2004. This Lease shall terminate and expire at the end of said two-year term unless otherwise agreed to by the parties as set forth below.

(B) Subject to the mutual agreement of the parties, this Lease Agreement may be extended for up to three (3) successive periods of one (1) year each upon such terms and conditions as may be mutually agreed upon by the parties at least sixty (60) days prior to the expiration of the initial two (2) year term or any subsequent renewals thereof.

SECTION 3. RENT.

Lessee shall pay to Lessor, as rent, for the use of the Leased Premises described above, the following:

For the period of 2/1/02 through 6/30/02, the parties have agreed to continue with the annual rental cost of \$9.50/sq.ft. for the original 865 sq. ft. of finished space the Lessee has been paying Lessor under a Lease Agreement dated January 7, 1997, which terminated on January 31, 2002, prorated for each of the above months. Rent is not being charged for the original unfinished space. This amounts to \$684.79 per month due Lessor for each of the first five months of this Lease Agreement.

For the period of 7/1/02 through 1/31/03, the Lessee shall pay rent for the entire 2,245 sq. ft., both finished and unfinished space, at the annual rental cost of \$10.00/sq.ft., prorated for each of the above months. This amounts to \$1,870.83 per month for six months and \$1,870.85 for the seventh month listed above. Thereafter, Lessee shall pay Lessor annual rent for the entire 2,245 sq. ft. as set forth below:

2/1/03 - 1/31/04	\$10.50/sq.ft.	X	2,245sq.ft.	=	\$23,572.50
Option Year 1	\$11.00/sq.ft.	X	2,245sq.ft.	=	\$24,695.00
Option Year 2	\$11.50/sq.ft.	X	2,245sq.ft.	=	\$25,817.50
Option Year 3	\$12.00/sq.ft.	X	2,245sq.ft.	=	\$26,940.00

Said rent shall be payable in equal monthly installments as set forth in Exhibit "B", which is attached hereto and made a part of this Lease Agreement, in advance on the first day of each month, to start on the first day of the first month of the initial term of this Lease.

SECTION 4. SERVICES FOR COMMON USE AREAS.

Lessor shall provide the following for the common use areas: Snow and ice removal, water and sewage, electricity, lighting, heating and air-conditioning and any other utility service required, public toilets, janitorial and security services, repairs and replacements to the building and grounds during the term of the Lease Agreement.

SECTION 5. HEATING, AIR-CONDITIONING, AND ELECTRICAL SYSTEMS.

Lessor, or its assignee, will service and maintain the common area centralized heating, air-conditioning, gas or electrical systems,

but not the individual systems or components contained within the Leased Premises. Lessor shall render the individual systems of the Leased Premises in operable condition upon execution of this Lease Agreement. Thereafter, and during the entire Lease period, Lessee, at its sole cost and expense, shall be responsible for maintaining all such individual systems or components.

SECTION 6. UTILITIES.

Lessor at its sole cost and expense shall provide to the Leased Premises during the term of this Lease Agreement all heat, water, sewage, electricity, lighting, air-conditioning and other utility services deemed necessary as determined in the sole discretion of the Lessor provided that Lessee will maintain in good working order the systems and equipment necessary for such utilities. However, Lessee agrees that Lessor shall not be liable to Lessee or Lessee's business resulting in whole or in part from any lack of such utilities as set forth in this Lease Agreement. Provided, however, Lessee shall be solely responsible for and pay for all telephone, data, and other communications lines which may be desired by Lessee.

SECTION 7. USE OF LEASED PREMISES.

Lessee hereby covenants and agrees that the Leased Premises will be used solely for computer workspace and office purposes, and no other purpose.

SECTION 8. APPEARANCE, MAINTENANCE, AND REPAIR OF LEASED PREMISES.

(A) Lessee, at its sole cost and expense, will service and maintain the Leased Premises in good repair, condition and

appearance during the term of this Lease, ordinary wear and tear excepted, and Lessee shall make all non-structural changes of every kind or nature which may be required to be made for any reason in connection with Lessee's use of the Leased Premises, only after written approval by Lessor of such changes.

(B) Within the Leased Premises, Lessee, at its sole cost and expense, shall keep in good running order electric wiring, toilets, water pipes, water, gas and electric fixtures; replace all locks, trimmings, glass and plate glass broken during the tenancy, and unstop all water fixtures that may become choked. Lessee shall not make any alterations of, additions to or changes in the Leased Premises or equipment without the prior written approval of Lessor, which approval shall not be unreasonably withheld. Lessee further covenants and agrees that all signage and the general appearance of the Leased Premises shall comply with the Lessor's design requirements and shall be subject to the prior written approval of the Lessor, which approval shall not be unreasonably withheld. Lessee shall remove any signage or other materials that negatively affect the general appearance of the Leased Premises in the sole and exclusive discretion of Lessor. All fixtures, permanent alterations, changes, and improvements, by whomsoever made, shall be the property of Lessor.

SECTION 9. ENTRY OF LEASED PREMISES BY LESSOR.

Lessee shall permit Lessor or its authorized agents to enter the Leased Premises for the purpose of inspection at any reasonable time or times during the term of this Lease, provided, however,

that such inspections shall not unreasonably interfere with Lessee's use and occupancy of the Leased Premises.

SECTION 10. INSURANCE BY LESSOR.

Lessor shall maintain insurance against fire and all perils customarily covered by extended coverage endorsement in an amount adequate to protect the Lessor for the replacement value of the Leased Premises and against any and all loss from damage to the building and improvements of which the Leased Premises is a part. Such insurance may be obtained by endorsement to blanket insurance policies, provided that such policies are written by companies of recognized standing and authorized to do business in Virginia.

SECTION 11. INSURANCE BY LESSEE.

(A) Lessee shall, at its cost and expense, obtain and maintain during the term of this Lease commercial general liability insurance with companies authorized to do business in Virginia, including protection against bodily injury or death liability and property damage liability, providing no less than \$1,000,000.00 combined single limit of liability per occurrence, which policies shall name the Greater Roanoke Transit Company, First Transit, Inc., Southwestern Virginia Transit Management Company, Inc. their officers, agents and employees as additional insureds. The Lessee shall furnish Lessor with a certificate or certificates showing the type, amount, effective dates and date of expiration of the required insurance policy or policies prior to and for the duration of the occupancy of the Leased Premises. The certificate shall contain substantially the following statement, "The insurance

covered by this certificate shall not be cancelled or materially altered, except after thirty (30) days written notice has been provided to the Greater Roanoke Transit Company." In place of the above insurance, the Lessee may provide at its option, evidence of self-insurance in the amounts set forth above.

(B) Lessee shall be responsible for insuring all Lessee's personal property, equipment, and trade fixtures, and Lessee shall hold Lessor harmless for any damage to or loss of said items, whether destroyed or damaged by fire or otherwise.

SECTION 12. DAMAGE OF LEASED PREMISES.

(A) If the Leased Premises are damaged or destroyed in whole or in part by fire or other casualty without any fault of Lessee and the same can be reasonably repaired or restored within one hundred twenty (120) days from the date of damage, Lessor, only to the extent Lessor receives payment from any insurance carrier, shall repair and replace the Lessor items, and Lessee shall repair the improvements to the Leased Premises within the said period and, in that event, there shall be proportional abatement of rent to the extent the Lessee is unable to conduct Lessee's business in a normal manner while Lessor and Lessee repair the Leased Premises. Should the Lessee receive at any time any payments from any insurance carrier for damages to the Leased Premises or the basic improvements or the fixtures, the Lessee shall repair the Leased Premises or replace such other items or Lessee shall pay such payments or money to the Lessor, at the Lessor's option.

(B) In the event the Leased Premises are damaged or destroyed

without any fault of Lessee and cannot be repaired or restored within one hundred twenty(120)days from the date of damage, either Lessee or Lessor may terminate this Lease by giving written notice within thirty (30) days after the damage occurs, in which event this Lease shall terminate, and said rent shall abate in total from the date of such damage or destruction. If neither party elects to terminate this Lease, Lessor and Lessee shall proceed with due diligence to repair and restore the Leased Premises as set forth above and the rent shall abate in proportion to the extent Lessee is unable to conduct its business in a normal manner from the date of such damage or destruction.

In the event the Leased Premises are damaged or destroyed due to the fault of the Lessee, Lessee shall restore and repair the Leased Premises to the condition it was in prior to such damage or destruction, all at no cost to Lessor.

SECTION 13. ASSIGNMENT OR TRANSFER.

Lessee shall not assign or transfer this Lease in whole or in part, sublet or license the Leased Premises or any part thereof without the prior written consent of Lessor. Lessee acknowledges and agrees that Lessor shall be authorized to assign Lessor's rights, duties, and obligations under this Lease to a third party.

SECTION 14. FORCE MAJEURE.

The obligations of the parties hereunder shall be subject to force majeure, which shall include lawful strikes, riots, floods, accidents, Acts of God, and other causes or circumstances beyond the control of the party claiming such force majeure as an excuse

for non-performance of such obligation.

SECTION 15. COMPLIANCE WITH LAWS.

Lessee agrees to conform to and not to violate the applicable laws, ordinances, rules, regulations, and requirements of federal, state, county, municipal, or other governmental authorities and the various departments thereof now existing or hereinafter created affecting Lessee's use and occupancy of the Leased Premises.

SECTION 16. LESSEE'S OBLIGATION TO QUIT LEASED PREMISES.

Lessee shall, upon the expiration or termination of this Lease, in whole or in part, peaceably quit and deliver to Lessor possession of the Leased Premises or any portion thereof to which such expiration or termination applies, in the same condition, including all fixtures and improvements, normal wear and tear excepted, and shall promptly clean up and remove all personal property and non-fixture items on the Leased Premises.

SECTION 17. FIXTURES, EQUIPMENT, AND OTHER ITEMS.

(A) All fixtures, equipment, improvements, and appurtenances permanently attached to or built into the Leased Premises, whether or not by or at the expense of Lessee, and any personal property of the Lessor or installed by Lessor in the Leased Premises shall be and remain a part of the Leased Premises and shall be deemed property of the Lessor and shall not be removed by Lessee.

(B) All movable partitions, other business and trade fixtures, furnishings, furniture, machinery and equipment, communications equipment, and other personal property located in the Leased Premises and acquired by or for the account of Lessee without

expense to Lessor may be removed by Lessee at any time during the term hereof, provided that Lessee shall repair any damage to the Leased Premises resulting from such removal, such repair to be done to the satisfaction of Lessor.

SECTION 18. NOTICES.

Notices given under the terms of this Lease shall be deemed properly served if such notice is mailed by Certified United States Mail, Return Receipt Requested, or hand delivered: if to Lessor addressed to General Manager, Greater Roanoke Transit Company, 1108 Campbell Avenue, S.E., 24013; and if to Lessee addressed to: City Manager, City of Roanoke, 215 Church Avenue, S.W., Room 364, Roanoke, Virginia 24011. Notice mailed in accordance with the provisions hereof shall be deemed to have been given as of the date of receipt or the third business day following the date of such mailing, whichever date is earlier. Notice hand delivered in accordance with the provisions hereof shall be deemed to have been given as of the day of delivery. The parties may change the above addresses by providing written notice of such to the other party as set forth above.

SECTION 19. COVENANT RUNNING WITH THE LAND.

Each provision of this Lease shall be deemed to be both a covenant and a condition running with the land unless otherwise provided.

SECTION 20. SALE OF LEASED PREMISES.

If Lessor sells, conveys or passes title to the Leased premises, the Lessee shall be bound by the terms and conditions herein to the new owner of the Leased Premises, and the new owner shall take

title subject to this leasehold interest.

SECTION 21. SEVERABILITY.

If any clause or provision of this Lease is or becomes illegal or unenforceable because of present or future laws or rules or regulations of any governmental body or entity, or by a court order, effective during the term of this Lease, the intention of the parties hereto is that the remaining parts of this Lease shall not be affected thereby unless such clause or provision is, in the reasonable determination of both Lessee and Lessor, essential and material to their respective rights, in which event either party shall have the right to terminate this Lease upon thirty (30) days' written notice to the other party.

SECTION 22. SUCCESSORS AND ASSIGNS.

This Lease Agreement shall be binding upon the parties and their successors and assigns.

SECTION 23. NONDISCRIMINATION.

During the performance of this Lease, the Lessee agrees as follows:

(A) Lessee will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Lessee. Lessee agrees to post in a conspicuous place, available to employees and applicants for employment, notices setting forth the provision of this nondiscrimination clause.

(B) Lessee, in all solicitations or advertisements for employees placed by or on behalf of the Lessee, will state that such Lessee is an equal employment opportunity employer.

(C) Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

(D) Lessee will include the provisions of the foregoing paragraphs A, B, and C in every contract, subcontract, or purchase order of over \$10,000, so that the provisions will be binding upon each contractor, subcontractor, or vendor.

SECTION 24. DEFAULT.

(A) Each of the following shall constitute an event of default: (1) Lessee fails to pay rent within five (5) days after such rent becomes due and payable; (2) Lessee fails to observe or perform any term, condition, or covenant in this Lease; (3) Lessee abandons or vacates the Leased Premises; (4) Lessee or any guarantor makes or consents to a general assignment for the benefit of creditors or a common law composition of creditors, or a receiver of the Leased Premises or all or substantially all of Lessee's or guarantor's assets is appointed; or (5) Lessee or guarantor files a voluntary petition in any bankruptcy or insolvency proceeding, or an involuntary petition in any bankruptcy or insolvency proceeding is filed against Lessee or guarantor and is not discharged by Lessee or guarantor within sixty (60) days

after such filing.

(B) It is understood and agreed by and between the Lessor and Lessee that in the event of a breach by Lessor or Lessee of any of the covenants and agreements herein contained or in the event of a default by Lessee as set forth above, the aggrieved party may serve a written thirty (30) day notice of default, specifying such default or breach, on the defaulting or breaching party. If such default is not remedied within said (30) days, this Lease Agreement shall automatically end and expire.

(C) If such default or breach is not remedied within the thirty (30) day period, the non-defaulting or non-breaching party, at its option, without further notice or demand to the defaulting or breaching party, may in addition to all other rights and remedies provided in this Lease Agreement or at law or in equity, terminate this Lease and Lessee's right of possession of the Leased Premises and recover all damages to which it is entitled under the law. Furthermore, the Lessor shall be entitled to recover and immediately take possession of the Leased Premises and recover, without limitation, all of Lessor's expenses of reletting, including without limitation, rental concessions to new tenants, repairs, alterations, and legal fees.

(D) If Lessor takes possession pursuant to this Lease, with or without terminating this Lease, Lessor may, at its option, enter into the Leased Premises, remove Lessee's alterations, signs, personal property, equipment, and other evidences of tenancy, and store them at the Lessee's sole risk and expense or dispose of them

as Lessor may see fit, and take and hold possession of the Leased Premises.

SECTION 25. NONWAIVER.

Lessee agrees that the Lessor's waiver or failure to enforce or require performance of any term or condition of the Lease Agreement or any waiver of any particular breach of the Lease Agreement extends to that instance only. Such waiver or failure is not and shall not be a waiver of any of the terms or conditions of the Lease Agreement or a waiver by Lessor of any breaches of that agreement and does not bar the Lessor from requiring the Lessee to comply with all the terms and conditions of the Lease Agreement and does not bar the Lessor from asserting any and all rights and remedies the Lessor has or might have against Lessee under the Lease Agreement or by law.

SECTION 26. FORUM SELECTION AND CHOICE OF LAW.

By virtue of entering into this Lease Agreement, the Lessee submits itself to a court of competent jurisdiction in the City of Roanoke, Virginia, and further agrees that this Lease Agreement is controlled by the laws of the Commonwealth of Virginia and that all claims, disputes, and other matters shall only be decided by such court according to the laws of the Commonwealth of Virginia.

SECTION 27. HEADINGS.

The Section Captions and Headings in this Lease are for convenience and reference purposes only and shall not affect in any way the meaning and interpretation of this Lease.

SECTION 28. SUBROGATION.

The Lessee hereby waives all claims, causes of action, and rights of recovery against the Lessor, the City of Roanoke, First Transit, Inc., Southwestern Virginia Transit Management Company, Inc. their officers, agents, employees, or representatives from any loss or damage occurring to the Leased Premises or the improvements, equipment, fixtures, merchandise, and personal property of every kind located in and about the Leased Premises resulting from any perils that are covered and paid by insurance regardless of cause or origin, including negligence of any of the parties named in this section, their respective heirs, administrators, successors, officers, employees, agents, and assigns, to the extent of any recovery under a policy or policies of insurance. The Lessee agrees to obtain endorsements to its insurance policies waiving the right of subrogation of each insurance carrier under the appropriate policies.

SECTION 29. COOPERATION.

Each party agrees to cooperate with the other in executing any documents necessary to carry out the intent and purpose of this Lease Agreement.

SECTION 30. COUNTERPART COPIES.

This Lease Agreement may be executed in counterpart copies, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

SECTION 31. ENTIRE AGREEMENT AND AMENDMENTS.

This document together with Exhibits "A" and "B", which are attached hereto and made part hereof, constitutes the entire agreement between the parties and supersedes any prior understanding or written or oral agreements between the parties respecting the within subject matter. No amendments, changes or modifications of any of the covenants, terms or conditions hereof shall be valid unless in writing and signed by the parties hereto.

Remainder of Page Intentionally Left Blank

In WITNESS WHEREOF, the parties hereto have affixed their signatures by their authorized representatives.

GREATER ROANOKE TRANSIT COMPANY
(LESSOR)

ATTEST:

Secretary

By: _____
General Manager

By: _____
President

City of Roanoke, Virginia
(LESSEE)

ATTEST:

Secretary
(Corporate Seal)

By: _____
Darlene L. Burcham, City Manager

Approved as to Form:

Approved as to execution:

City Attorney

City Attorney

APPROPRIATION AND FUNDS REQUIRED
FOR THIS CONTRACT CERTIFIED:

By: _____
Director of Finance

Date _____

Account Number

JL

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to enter into an agreement with the Greater Roanoke Transit Company for the lease of office space at the Campbell Court Transportation Center, for use by the Roanoke City Department of Technology, upon certain terms and conditions.

BE IT RESOLVED by the Council of the City of Roanoke that the City Manager and the City Clerk are authorized to execute and attest, respectively, in form approved by the City Attorney, an appropriate lease agreement with the Greater Roanoke Transit Company for the lease of 2,245 square feet of office space within the Campbell Court Transportation Center located at 17-31 Campbell Avenue S.W., for use by the Roanoke City Department of Technology; said lease shall be for a two-year term beginning February 1, 2002, and ending January 31, 2004, with an option to renew for three additional one-year terms, at a cost of \$16,5129.78 for the first year and \$23,572.50 for the second year, and upon the terms and conditions as more particularly described in the City Manager's letter to this Council dated January 22, 2002

ATTEST:

City Clerk.

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Garden City Property Purchase

Background:

Since 1997, the city has purchased flood-prone homes on over 16 acres within 34 land parcels in the Garden City neighborhood. These purchases were made possible through the Hazard Mitigation Grant Program (HMGP). Acquisition was based upon a 75% federal and 25% local match. Once purchased, the properties were turned over to Parks and Recreation for future recreational use. Another parcel located between Garden City Boulevard and Bandy Road, S.E., is now for sale. This parcel, Tax Map #4260518, is located between properties already owned by the City. When purchased, the combined property will be utilized for much-needed athletic fields within Southeast Roanoke.

Considerations:

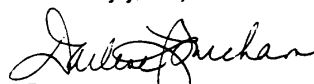
The property owner has agreed to sell this parcel for \$12,000, which is slightly under the property's assessed value. Parks and Recreation has already met with the Garden City Civic League and the Garden City Recreation Club to show concept plans for a high-school sized football/soccer field, and a youth baseball field. Both groups fully endorse this proposal. While the Hazard Mitigation Grant Program has concluded, full funding of \$12,000 is currently available via City matching funds previously allocated towards the Grant Program in account 008-052-9696 (Garden City Property Relocation Program). Purchase is subject to a title search on the property, and an acceptable environmental site inspection.

The Honorable Mayor and Members of Council
January 22, 2002
Page 2

Recommended Action:

City Council approve the purchase of property identified as Tax Map #4260518
(Attachment 1).

Sincerely yours,



Darlene L. Burcham
City Manager

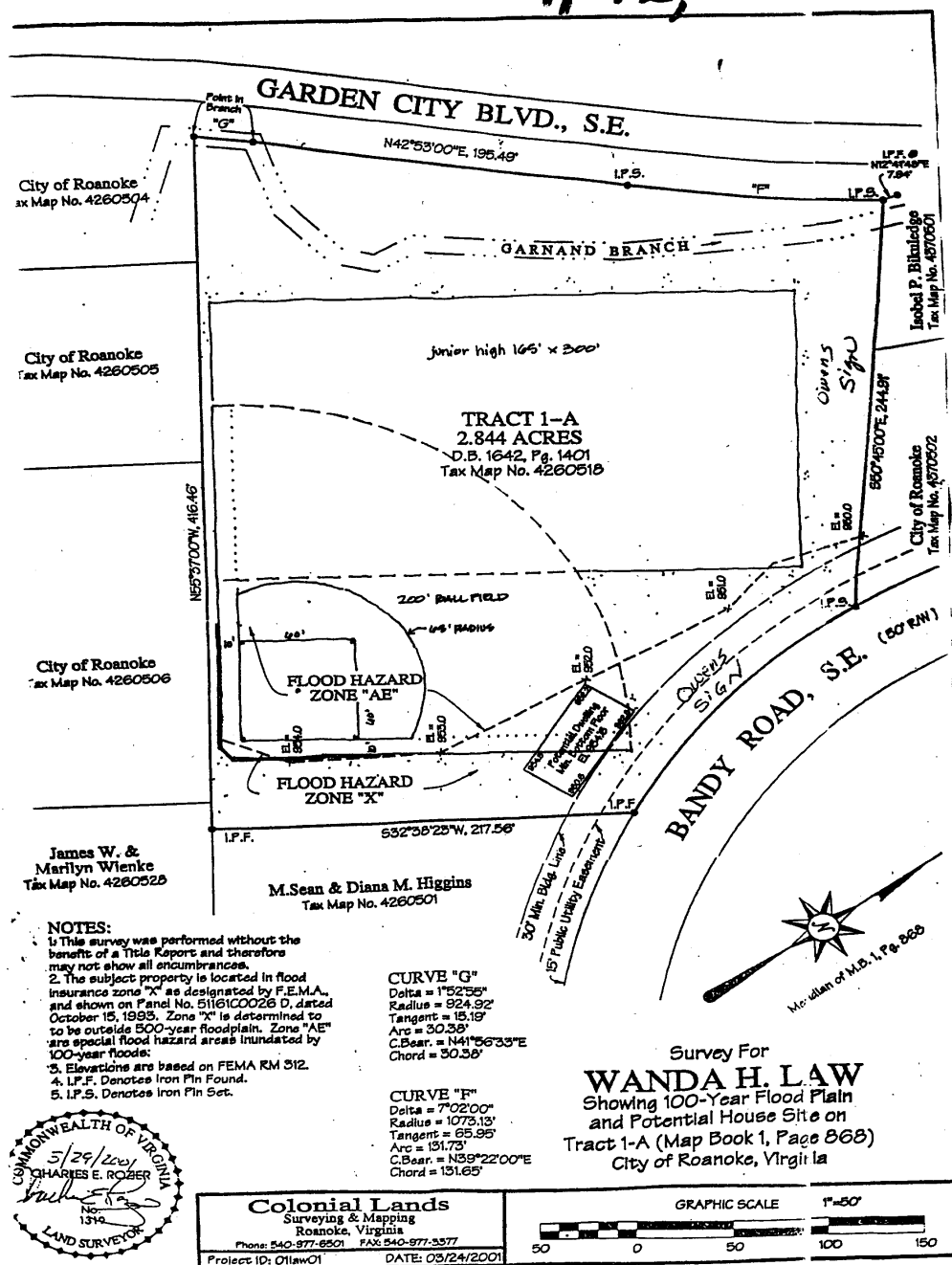
DLB:kaj

Attachment

c: Darlene L. Burcham, City Manager
Rolanda A. Johnson, Assistant City Manager of Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation
Philip C. Schirmer, City Engineer

#CM02-00002

#12,000



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing the acquisition of certain flood-prone property located in Garden City from surplus local matching funds remaining after closure of the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Program grant; upon certain terms and conditions; and dispensing with the second reading of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager is authorized to execute the necessary documents, upon form approved by the City Attorney, to purchase the real property located between Garden City Boulevard and Bandy Road S.E., and bearing Roanoke City Tax Map No. 4260518, for a purchase price of \$12,000.00 from surplus local matching funds remaining after closure of the Federal Emergency Management Agency's Hazard Mitigation Program grant and as more particularly stated in the City Manager's January 22, 2002, letter to City Council.
2. Acceptance of this property is conditioned upon receiving a satisfactory environmental assessment.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of Funds

Background:

Over the past two years, several functions performed by Parks and Recreation have been reassigned to other departments in order to allow them to focus on their primary mission of supporting parks, recreational facilities and programs. Responsibility for the weed control program was transferred to Planning and Code Enforcement in 2000; and, in early 2001, street sweeping responsibilities were moved to Streets and Traffic. On October 1, 2001, alley maintenance and median and right-of-way mowing were transferred to Streets and Traffic with twenty-two positions moved from Parks and Recreation to support these activities.

Considerations:

Funds from Parks and Recreation need to be transferred to Streets and Traffic to cover expenses for the remainder of the fiscal year. A line item recap of the \$575,641.00 to be transferred is attached (Attachment 1). This total includes all monies to cover Personal Services and Operating Expenses for median and right-of-way mowing for the remainder of the current fiscal year with two

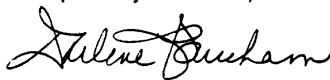
The Honorable Mayor and Members of Council
January 22, 2002
Page 2

exceptions. The exceptions are tipping fees to the Roanoke Valley Resource Authority and Motor Fuels & Lubricants. An equitable distribution for these two line items is being developed. When a mutually agreeable amount is determined, the funds will be transferred by way of a City Manager Transfer. The Office of Management and Budget will make necessary adjustments to the Internal Services accounts, also by City Manager transfer.

Recommended Action:

Council approve the transfer of \$575,641.00 from the corresponding object accounts from 001-620-4340 to 001-530-4110 for fiscal year 2002 Operating Budget as indicated in Attachment 1.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:kaj

Attachment

c: Rolanda A. Johnson, Assistant City Manager of Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation
Robert K. Bengtson, Director of Public Works
Kenneth H. King, Jr., Manager of Streets and Traffic

#CM02-00001

**Funds to be Transferred from Parks & Recreation
to Streets & Traffic along with 22 Full-time Positions**

FROM:		TO:
001-620-4340		001-530-4110
PERSONAL SERVICES		
1002	Regular Employee Salaries \$345,226	1002
1003	Overtime Wages 6,439	1003
1004	Temporary Employee Wages 56,080	1004
1105	City Retirement 22,027	1105
1116	ICMA Match 7,200	1116
1120	F I C A 31,743	1120
1125	Hospitalization Insurance 32,130	1125
1126	Dental Insurance 2,573	1126
1130	Life Insurance 2,762	1130
1131	Disability Insurance 1,243	1131
OPERATING EXPENDITURES		
2010	Professional Service Fees 16,041	2010
2035	Expendable Equip (<\$5,000) 1,255	2035
2042	Dues & Memberships 38	2042
2044	Training & Development 2,896	2044
2048	Maint - Equipment 34,874	2048
2064	Wearing Apparel 1,838	2064
3002	Project Supplies - Grounds 11,276	3002
	Total \$575,641	

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 General Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Public Works	\$ 24,852,040
Parks and Recreation (1-17)	3,695,708
Streets and Traffic (18-34)	3,667,764

1) Regular Employee		
Salaries	(001-620-4340-1002)	\$ (345,226)
2) Overtime Wages	(001-620-4340-1003)	(6,439)
3) Temporary Employee		
Wages	(001-620-4340-1004)	(56,080)
4) City Retirement	(001-620-4340-1105)	(22,027)
5) ICMA Match	(001-620-4340-1116)	(7,200)
6) FICA	(001-620-4340-1120)	(31,743)
7) Hospitalization		
Insurance	(001-620-4340-1125)	(32,130)
8) Dental Insurance	(001-620-4340-1126)	(2,573)
9) Life Insurance	(001-620-4340-1130)	(2,762)
10) Disability Insurance	(001-620-4340-1131)	(1,243)
11) Professional Service		
Fees	(001-620-4340-2010)	(16,041)
12) Expendable		
Equipment (<5,000)	(001-620-4340-2035)	(1,255)
13) Dues and		
Memberships	(001-620-4340-2042)	(38)

14) Training and Development	(001-620-4340-2044)	\$ (2,896)
15) Maintenance - Equipment	(001-620-4340-2048)	(34,874)
16) Wearing Apparel	(001-620-4340-2064)	(1,838)
17) Project Supplies - Grounds	(001-620-4340-3002)	(11,276)
18) Regular Employee Salaries	(001-530-4110-1002)	345,226
19) Overtime Wages	(001-530-4110-1003)	6,439
20) Temporary Employee Wages	(001-530-4110-1004)	56,080
21) City Retirement	(001-530-4110-1105)	22,027
22) ICMA Match	(001-530-4110-1116)	7,200
23) FICA	(001-530-4110-1120)	31,743
24) Hospitalization Insurance	(001-530-4110-1125)	32,130
25) Dental Insurance	(001-530-4110-1126)	2,573
26) Life Insurance	(001-530-4110-1130)	2,762
27) Disability Insurance	(001-530-4110-1131)	1,243
28) Professional Service Fees	(001-530-4110-2010)	16,041
29) Expendable Equipment (<5,000)	(001-530-4110-2035)	1,255
30) Dues and Memberships	(001-530-4110-2042)	38
31) Training and Development	(001-530-4110-2044)	2,896
32) Maintenance - Equipment	(001-530-4110-2048)	34,874
33) Wearing Apparel	(001-530-4110-2064)	1,838
34) Project Supplies - Grounds	(001-530-4110-3002)	11,276

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall
be in effect from its passage.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Subject: Roanoke River Flood
Reduction Project –
Additional Property Rights
Acquisition

Dear Mayor Smith and Members of City Council:

Roanoke River Flood Reduction Project was proposed by the Corps of Engineers in 1984, and approved by a voter referendum on April 11, 1989. As part of the Local Cooperation Agreement between the City and the Corps for design and construction, the City is required to acquire all necessary property rights. Authorization to acquire property rights was granted by City Council by Ords. 29733-91189, and 34629-010400.

Adjustments in the final alignment have created the need for additional property rights not included in the previous Council authorizations. See Attachment #1 for list of parcels, and Attachments #2 & #3 for maps. Sufficient funding has been appropriated and no additional funding will be required for these property rights.


Recommended Action(s):

Authorize the City Manager and the City Attorney to take all necessary measures to execute the appropriate documents to reserve easements on City-owned property and to acquire the additional property rights necessary for the construction of the project. Said property rights may be acquired by negotiation or

Honorable Mayor and Members of Council
January 22, 2002
Page 2

eminent domain and may include fee simple, permanent easements, temporary construction easements, rights of way, licenses or permits, etc.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/SEF

Attachments

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
Sarah E. Fitton, Engineering Coordinator

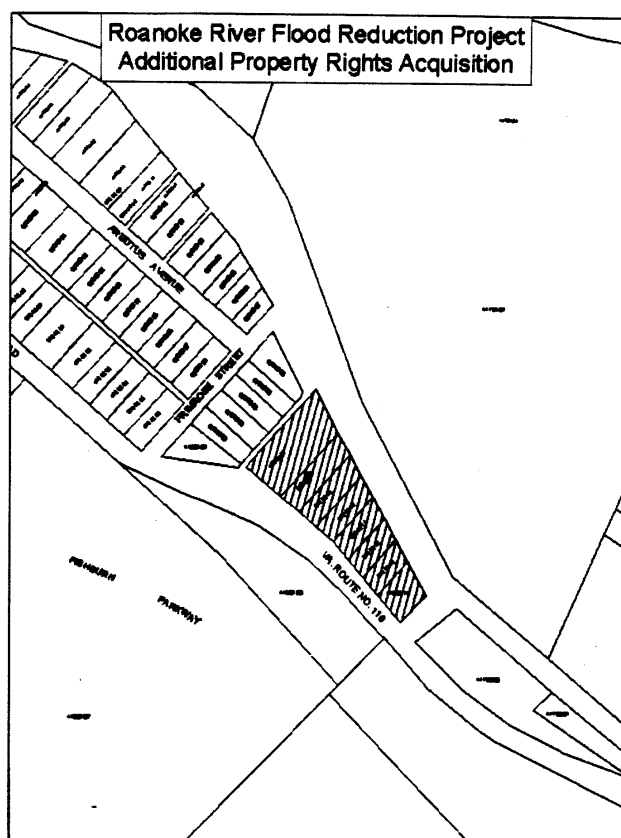
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ATTACHMENT 1

Roanoke River Flood Reduction Project
Additional Property Rights Acquisition

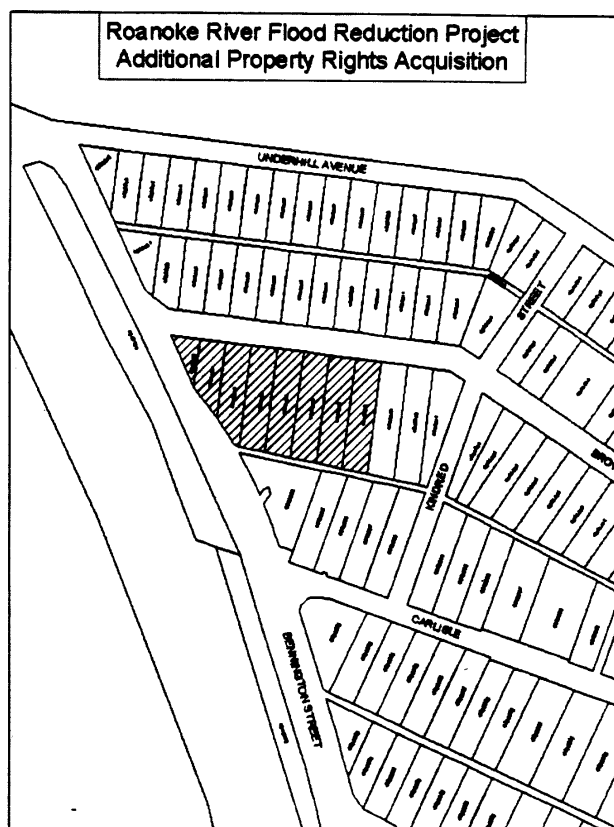
<u>Tax No.</u>	<u>Property Owner</u>	<u>Property Rights</u>
4160407	Kermit Shriver	Fee Simple
4160408	Kermit Shriver	Fee Simple
4160409	Kermit Shriver	Fee Simple
4160410	Kermit Shriver	Fee Simple
4160411	Kermit Shriver	Fee Simple
4160412	Kermit Shriver	Fee Simple
4160413	Kermit Shriver	Fee Simple
4160414	Kermit Shriver	Fee Simple
4340201	City of Roanoke	Easement
4340202	City of Roanoke	Easement
4340203	City of Roanoke	Easement
4340204	City of Roanoke	Easement
4340205	City of Roanoke	Easement
4340206	City of Roanoke	Easement
4340207	City of Roanoke	Easement
4340208	City of Roanoke	Easement

ATTACHMENT 2



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ATTACHMENT 3





IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE providing for the acquisition of certain property rights needed by the City in connection with the Roanoke River Flood Reduction Project; providing for the City's acquisition of such property by condemnation, under certain circumstances; and dispensing with the second reading of this ordinance.

WHEREAS, the Roanoke River Flood Reduction Project (the "Project") was approved by a voter referendum on April 11, 1989; and

WHEREAS, authorization to acquire property rights was previously granted by this Council; and

WHEREAS, adjustments in the plans of the Project have created the need for additional property rights not included in the previous Council authorizations.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. To provide for the completion of the Roanoke River Flood Reduction Project, the City wants and needs certain real property rights on property bearing Roanoke City Tax Map Nos. 4160407 through 4160414, inclusive, and Roanoke City Tax Map Nos. 4340201 through 4340208, inclusive, as more particularly set forth in the City Manager's letter and attachment thereto to this Council dated January 22, 2002. The proper City officials are authorized to acquire this property for such consideration as the City Manager may deem appropriate, subject to the limitation set out below and subject to applicable statutory guidelines. All requisite documents shall be upon form approved by the City Attorney.

2. A public necessity and use exists for the acquisition of said property and immediate acquisition by purchase or condemnation is necessary and expedient.

3. The City Manager is directed to offer on behalf of the City to offer the owner of the property such consideration as she deems appropriate. Upon the acceptance of an offer and upon delivery to the City of deeds, approved as to form and execution by the City Attorney, the Director of Finance is directed to pay the consideration to the owners of the interests conveyed, certified by the City Attorney to be entitled to the same.

4. Should the City be unable to agree with the owners of the properties to be acquired as to the compensation to be paid or other terms of purchase or settlement, or should the owners be persons under disability lacking capacity to convey said property rights or should the whereabouts of the owners be unknown, the City Attorney, is authorized and directed to institute condemnation or legal proceedings to acquire for the City the appropriate property rights.

5. In instituting or conducting any condemnation proceeding, the City Attorney is authorized to make motion on behalf of the City for a right of entry pursuant to Section 25-46.8 or Section 33.1-119 of the Code of Virginia (1950), as amended, for the purpose of commencing the project. The Director of Finance, upon request of the City Attorney, shall be authorized and directed to draw and pay into Court the appropriate sums in connection with such proceedings.

6. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Architectural Review Board
 Membership, Amendment of Section
 36.1-640 of the Code of the City of
 Roanoke, (1979), as amended

Background:

A committee appointed by City Council in January, 2001, reviewed and made recommendations regarding restructuring various City authorities, boards, commissions and committees. Many of Council's recommendations set forth in the Committee report dated April 2, 2001, have been implemented. One recommendation the Committee made was to amend Section 36.1-640 of the zoning ordinance to delete certain requirements for members on the Architectural Review Board ("ARB").

On September 17, 2001, City Council adopted a resolution authorizing the filing of an amendment to the code by the City Manager. At present, members of the ARB are required to meet certain eligibility requirements set forth in the zoning ordinance. Currently, Section 36.1-640 provides for the following requirements for members, among other things:

"All members shall have an interest, competence or knowledge in historic preservation. At least one (1) of the members appointed shall be selected from the membership of the city planning commission, at least two (2) members shall be registered architects, and at least one (1) member shall be a person who has a demonstrated knowledge of and interest in the history of the city."

The Planning Commission considered a proposed amendment on October 18, 2001, that would have eliminated all of the above requirements for ARB membership. A motion to approve the proposed amendment failed by a vote of 0-5 (Messrs. Butler, Campbell, Manetta, Rife, and Chrisman voting in opposition to the motion and Messrs. Hill and Dowe absent). During the discussion of the proposed amendment, Mr. Chrisman and Mr. Manetta expressed concerns with respect to removing the requirement for at least two

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb: www.ci.roanoke.va.us

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Honorable Mayor and Members of Council
January 22, 2002
Page 2

architects on the ARB. They felt that the ARB needed architects to maintain validity and to serve the needs of the City's historic districts. Other Commission members expressed similar concerns. Mr. Manetta, as Chairman of the ARB, provided a written statement to the Commission that summarized his concerns. Mr. Robert Richert, 415 Allison Avenue, addressed the Commission as a citizen and as a member of the current ARB. He advised that all members of the ARB should have an interest in history and preservation. He advised that to have an ARB without architects is not desirable. In addition, to have an ARB with all architects is not desirable. He was in favor of some architects on the ARB and felt that the existing language requiring two architects was appropriate.

On October 18, 2001, City Council held a public hearing to consider the proposed amendment. Mr. Manetta and Mr. Richert addressed Council and expressed their concerns and recommendations for amending the ordinance. Council tabled the matter for further study, recommendation and report to City Council.

Considerations:

After further coordination with the City Manager, City Attorney, two members of the ARB and one Council representative, the following revised amendment is submitted for Council's further consideration:

Sec. 36.1-640. Appointment, membership.

There is hereby created an architectural review board consisting of seven (7) members appointed by majority vote of the city council. Initially, one (1) member shall be appointed to serve a term ending October 1, 1980, two (2) for a term ending October 1, 1981, two (2) for a term ending October 1, 1982, and two (2) for a term ending October 1, 1983. The council, at the time of initial appointment of the board, shall designate the terms of the appointees after the expiration of the initial term; and appointment shall be for a four-year term. Any vacancy on the board shall be filled in the same manner as the original appointment, for the unexpired term. Members of the board shall hold no elected public office. ~~All members shall have an interest, competence or knowledge in historic preservation. At least one (1) of the members appointed shall be selected from the membership of the city planning commission, at~~ At least two (2) members, but not more than three (3) shall be registered architects, ~~and at least one (1) member shall be a person who has demonstrated knowledge of and interest in the history of the city.~~

Honorable Mayor and Members of Council
January 22, 2002
Page 3

In making appointments, City Council shall consider the appointee's interest or competence in, or knowledge of, historic preservation and the history of the city.

A public hearing on this matter was held on October 18, 2001. An additional hearing is not required.

Recommendation:

It is recommended that City Council adopt the revised amendment to Section 36.1-640, of the Code of the City of Roanoke (1979), as amended, as set forth in the attached ordinance.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:ESL

c: William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda A. Johnson, Assistant City Manager for Community Development
Evelyn S. Lander, Director, Planning Building and Development
Mr. Robert B. Manetta, Chairman, Architectural Review Board
Mr. D. Kent Chrisman, Chairman, City Planning Commission
Mr. Robert Richert, 415 Allison Avenue, S. W.

#CM02-00003

SST
11/7/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-640, Appointment, membership, of Division 2, Architectural Review Board, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, in order to eliminate certain qualifications for members of the Architectural Review Board, and dispensing with the second reading of this ordinance by title.

WHEREAS, City Council finds that the public necessity, convenience, general welfare and good zoning practices require the amendment of §36.1-640 of the City Code by deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 36.1-640, Appointment, membership, of Division 2, Architectural Review Board, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§ 36.1-640. Appointment, membership.

There is hereby created an architectural review board consisting of seven (7) members appointed by a majority vote of the city council. Initially, one (1) member shall be appointed to serve a term ending October 1, 1980, two (2) for a term ending October 1, 1981, two (2) for a term ending October 1, 1982, and two (2) for a term ending October 1, 1983. The council, at the

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time of initial appointment of the board, shall designate the terms of the appointees after the expiration of the initial term and appointment shall be for a four-year term. Any vacancy on the board shall be filled in the same manner as the original appointment for the unexpired term. Members of the board shall hold no elected public office. At least two (2) members, but not more than three (3), shall be registered architects. In making an appointment, City Council shall consider the appointee's interest or competence in, or knowledge of, historic preservation and the history of the City.

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable W. Alvin Hudson, Council Member
 Honorable William D. Bestpitch, Council Member
 Honorable William White, Sr., Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Nomination of Grandin Village for
 the Virginia Landmarks Register
 and the National Register of
 Historic Places

Background:

A historic survey of the Grandin Village is being conducted to determine if it is eligible for being listed on the Virginia Landmarks Register and the National Register of Historic Places. The area being surveyed includes the 1700-2000 blocks of Memorial Avenue and the 1300-1500 blocks of Grandin Road. Alison Blanton of Hill Studio, a resident of the neighborhood, is conducting the survey as a volunteer project.

Once an area is surveyed, a "Preliminary Information Form" is submitted to the Virginia Department of Historic Resources (VDHR), which determines eligibility. An official nomination is made once VDHR determines eligibility. Before a final decision is made, the Virginia Department of Historic Resources will sponsor a public meeting to inform property owners and solicit public comments on the proposed nomination.

Considerations:

Designation on the state and national registers provides many benefits. Most notably, historic designation makes State and Federal tax incentive programs available, which can offset up to 45% of the cost of rehabilitation.

The Grandin Theatre, which closed in November 2001, is included in the area to be nominated. The Grandin Theatre Foundation plans to rehabilitate the structure and reopen the theater. Roanoke has made a significant financial commitment to the project and the availability of tax credit incentives will enhance the foundation's ability to successfully complete the project. In addition, historic designation may encourage

Honorable Mayor and Members of Council
January 22, 2002
Page 2


other property owners to rehabilitate properties in the Grandin Village and ensure the continued viability of this village center.

The **Vision 2001-2020 Comprehensive Plan** supports the survey and nomination of historic districts. It recommends that Roanoke undertake a comprehensive inventory of historic properties and areas in the City and consider historic districts. The plan further recommends that neighborhood and stakeholder input be considered in the inventories, and that the City should promote local, state and federal incentives to encourage rehabilitation of historic districts.

Recommendation:

Adopt a resolution endorsing the nomination of the Grandin Village area for inclusion on the Virginia Landmarks Register and National Register of Historic Places, and authorizing the City Manager to sign documents related to the nomination on behalf of City Council.

Respectfully submitted,



Darlene L. Burcham
City Manager

DB:clc

Attachment

c: William M. Hackworth, City Attorney
Rolanda A. Johnson, Assistant City Manager for Community Development
Evelyn S. Lander, Director, Planning Building & Zoning
Steven J. Talevi, Assistant City Attorney

#CM02-00012

DEPARTMENT OF HISTORIC RESOURCES

*2801 Kensington Avenue
Richmond, Virginia 23221*

PRELIMINARY INFORMATION FORM

Historic District

The following constitutes an application for preliminary consideration for the nomination potential of a historic district to the Virginia Landmarks Register and the National Register of Historic Places. This does not mean that a district is being nominated to the registers at this time. Rather it is being evaluated to determine if it qualifies for such listings. Applicants will be notified of the Board's actions, in writing, following the meeting.

Please type and use 8 1/2" x 11" paper if additional space is needed.

All submitted materials become the property of the Virginia Department of Historic Resources and cannot be returned.

1. HISTORIC NAME OF PROPERTY (if not known, use current name of area):

Grandin Road Commercial Historic District 128-5125

2. LOCATION:

Street(s) or Route(s): Grandin Road, S.W. (1300-1500 block) and Memorial Avenue (1700-1900 block)

County or City Roanoke, VA

3. LEGAL OWNER(S)

Contact Person: Mr, Mrs, Miss, Ms (Circle One)

Daytime Telephone: Area Code () _____ - _____

Address: _____

City / State/ Zip Code: _____

CONTACT PERSONS SIGNATURE: _____

DATE: _____

SIGNATURE REQUIRED FOR PROCESSING ALL APPLICATIONS

4. GENERAL DATA OF DISTRICT

- A. Date(s) of selected building(s): Roanoke City Fire Dept. #7 (1922), Raleigh Court Library (1931), Virginia Heights School (1922), Grandin Theater (1932), Masonic Lodge (1926).
- B.
- C. Approximate acreage: 7 acres
- D. Architect(s) or Carpenter(s) / Mason(s) (if known): Eubank and Caldwell.
- E. Primary use of Building(s): Commercial, Education, Religion, Social/Recreation

5. GENERAL DESCRIPTION:

Describe building patterns and types, general architectural quality, building materials and prominent details. Description should address setting and any landscape features. (Additional information may be submitted on typed, consecutively numbered 8-1/2" x 11" sheets, as necessary.

The Grandin Road Commercial Historic District, located in the Virginia Heights/Raleigh Court neighborhood, consists of approximately six blocks at the intersection of Grandin Road and Memorial Avenue in the southwest quadrant of Roanoke, Virginia. The commercial district includes a number of significant buildings dating from the 1920s and 1930s that are important for their architectural quality and diversity as well as their functions as they provide an institutional, commercial, religious and educational nucleus to the surrounding neighborhood.

The proposed district centers around the "T" intersection of Grandin Road and Memorial Avenue. Virginia Heights Elementary School, which began as a one-room school in 1907 before the present building was constructed in 1922, stands at this important intersection. Constructed in the stripped NeoClassical style so popular among 1920s school design, the school stands as an imposing three-story brick structure on a hill overlooking the commercial area. Other civic buildings that give testimony to the growth and development of the area as a neighborhood include the 1922 Roanoke City Fire Station #7 and the 1931 Raleigh Court Branch of the Roanoke City Library. The Fire Station #7 at 1742 Memorial Avenue consists of a combination of Colonial and Spanish Colonial Revival design. The tile roof and symmetrical square brick pattern enlaced on the front of the building, gives the building its unique style. The Raleigh Court Library Branch at 1916 Memorial Avenue was designed by Eubank & Caldwell in the "Old English" Tudor Revival style. It is a sturdy, one-story brick structure accented by two large bay windows on either side of the entrance and topped by a steeply-pitched roof of slate shingles.

While several churches were originally located in the area, many of these have moved to larger structures further south on Grandin Road. Virginia Heights Baptist Church, constructed in 1919 at with an addition in 1939, remains at the corner of Grandin and Memorial. This Classical-Revival style church with its temple-front portico and towering spire provide another visual landmark at this important intersection. The Virginia Heights Masonic Temple is another prominent building in the

proposed district, both for its function as well as its architecture. Constructed in 1926 at a cost of \$40,000, this building is the best example of Colonial Revival in the area with its classical cornice, intricate detailing around the windows, and through its protruding bay window with pediment (Barnes, 1968:640). Adding to the variety of the commercial district in both function and style is the Grandin Theater at 1312 Grandin Road. Originally known as the Community Theater, the building was designed by Eubank & Caldwell in classic theater style, consisting of an eclectic mix of Spanish Colonial, Colonial Revival, Italian Renaissance, and Classical Revival styles that reflect the fantasy of the movies in the early 20th century. Constructed at a cost of \$150,000, the Mediterranean-style tile roof, classical cornice and corner quoins, and large arched windows give the theatre a distinctive exotic flair.

A number of small, one- and two-story brick commercial buildings dating from the 1920s to the 1950s complete the commercial area of Grandin Road. Several grocery stores occupy prominent locations in the area, including the ca. 1915 Jamison's Grocery Store at 1736 Memorial Avenue, the ca. 1925 Great A&P Tea Company at 1330 Grandin Road and the 1950 Kroger Store (now Roanoke Natural Food Co-op) at 1319 Grandin Road. The two-story, three-bay form of the Jamison's Grocery Store at the eastern terminus of the commercial district reflects the earlier 20th century style of commercial buildings while the other two later stores on Grandin Road are more modern in design with their streamlined, one-story form and large picture windows

The Grandin Road Commercial Historic District consists of approximately 25 buildings ranging in date from the early to mid 20th century. Of the 25 buildings, only 5 were constructed post 1952. The historic buildings retain a high sense of integrity, with only minor alterations to the storefronts.

6. HISTORY

Explain why this area is significant by referencing any significant events, personages, and/or families associated with the proposed historic district. (Detailed family genealogies are not necessary.) Please list any additional sources of information. Only material contained on the form will be forwarded to the State Review Board members. (Additional information may be submitted on typed, consecutively numbered 8-1/2" x 11" sheets, as necessary.)

The Grandin Road Commercial Historic District serves as the nucleus to the surrounding Virginia Heights/Raleigh Court neighborhood, which was one of Roanoke's first suburbs to develop in the early 20th century. The proposed district is eligible for listing on the Virginia Landmarks and National registers under criteria A and C with significance on the local level in the areas of architecture, community development, commerce, education, religion and social/recreation.

During the first decade of the 20th century, Roanoke experienced a population boom and developers were busy forming land companies to buy up farmland in what was then Roanoke County. In 1906, the Roanoke-Ghent Real Estate Company purchased 100 acres beginning at the Woodrum (now Memorial) Bridge and formed the Virginia Heights Corporation. Development of the area started quickly, with the construction of the first Virginia Heights School, a one-room structure, in 1907. By 1913 construction in the area was booming and by 1925, few vacant lots were left. The City of Roanoke annexed Raleigh Court and Virginia Heights in 1919.

The growth of the Raleigh Court area and the arrival of the streetcar led directly to the development of a commercial area along Grandin Road in the 1920s. This growth is attributed to the installation of a streetcar line in 1915 that extended from downtown across the bridge and along Grandin Road to Brandon Avenue. This form of public transportation in an era where privately-owned automobile were still rare provided the necessary link between the residential suburb and the heart of downtown Roanoke. The streetcar line enabled the population of Roanoke to spread to the Raleigh Court area while maintaining jobs elsewhere, bringing with them a need for stores and civic infrastructure. During a ten-year span after Roanoke City annexed Raleigh Court and the Virginia Heights suburbs in 1919, the city saw a 36% rise in population. This rise in population solidified the need for civic infrastructure within the Virginia Heights/Raleigh Court area.

In less than 15 years after annexation of the area, Grandin Road saw the construction of a new school (1922), a fire station (192), a social hall (1926), a community theater (1931), and a library (1931). While several churches were originally located along Grandin Road, the 1919 Virginia Heights Baptist Church is all that remains in the district today. Growth rather than decline explains the move of some churches to larger sites further south on Grandin Road. Virginia Heights Baptist Church continued to grow in its original location and expanded with a large addition in 1939. Along with the construction of these civic and religious buildings came the growth of stores. Prior to the mid-1920s, residential dwellings occupied the 1400 and 1500 blocks of Grandin Road. As the population grew and the demand for commercial services increased, these dwellings were replaced with commercial buildings. These stores included Cook's Clothing for Women (in the Masonic Temple), one of the first retailers located outside of the downtown area, an A&P Grocery Store, Garland's Drugs, and many others. Over the years, these buildings changed names, owners, and facades, but the district remained the hub of commercial activity for the neighborhood.

The Grandin Road Commercial Historic District is still the nucleus of commercial activity today. Local organizations such as the Grandin Road Merchants Association and the Greater Raleigh Court Civic League keep the area alive and animated through events such as the annual Christmas Parade, sidewalk sales, and the Community Safety Appreciation Day. These organizations enable the district to not merely survive through the years but to thrive and retain an identity for the Virginia Heights/Raleigh Court neighborhood.

Bibliography

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Kagey, Deedie. *When Past is Prologue: A History of Roanoke County*. Roanoke, Virginia: Roanoke County Sesquicentennial Committee, 1988.

Sanborn Insurance Company, *Sanborn Fire Insurance Maps: 1898, 1907, 1917, 1928, 1948*. Roanoke, Virginia: Virginia Room, Roanoke City Public Library.

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Walsh's Roanoke, Virginia City Directory. Roanoke, Virginia: The Stone Printing and Manufacturing Company, 1900, 1910.

White, Clare. *Roanoke: 1740-1982*. Roanoke, Virginia: Roanoke Valley Historical Society, 1982.

Whitwell, W.L. and Winborne, Lee W. *The Architectural Heritage of the Roanoke Valley*. Charlottesville, Virginia: University Press of Virginia, 1982.

PHOTOGRAPHS

Black and white photographs of general views and streetscapes must be provided. Photographs of important buildings in the district would also be helpful. The inclusion of photographs is essential to the completion of this application. Without photographs, this application cannot be considered.

8. **MAP**
Please include a map showing the location of the proposed district. A sketched map is acceptable but please note street route numbers, addresses, buildings, prominent geographic features, etc. Please include a "North" arrow. This form cannot be processed without a map of the property's exact location.
9. **ADDITIONAL COMMENTS:** (Additional information may be submitted on typed, consecutively numbered 8-1/2" x 11" sheets, as necessary.)
10. **APPLICANT INFORMATION**

NAME: Ms. Darlene Burcham, Roanoke City Manager

TELEPHONE: Area Code (540) _____

ADDRESS: 215 Church Avenue, SW

CITY / STATE / ZIP CODE: Roanoke, VA 24011

APPLICANT'S SIGNATURE: _____ DATE: 1-08-02

Departmental policy requires that the following officials of the local jurisdiction be notified prior to any consideration of eligibility by the State Review Board. Please provide the COMPLETE names and COMPLETE addresses of those currently serving, as applicable. This information must be provided before this form can be presented to the State Review Board for consideration.

Mayor of the City or Town Mr. Ralph Smith

215 Church Street, S.W.

Roanoke, VA 24011

Chairman of the Board of Supervisors (for county and town properties): _____

N/A

City or Town Manager or County Administrator: Ms. Darlene Burcham

215 Church Street, S.W.

Roanoke, VA 24011

Director of City or Town Planning Department: Ms. Evie Lander

215 Church Street, S.W.

Roanoke, VA 24011

Chairman of City or County Planning Commission: Mr. Kent Chrisman

One Market Square, S.E.

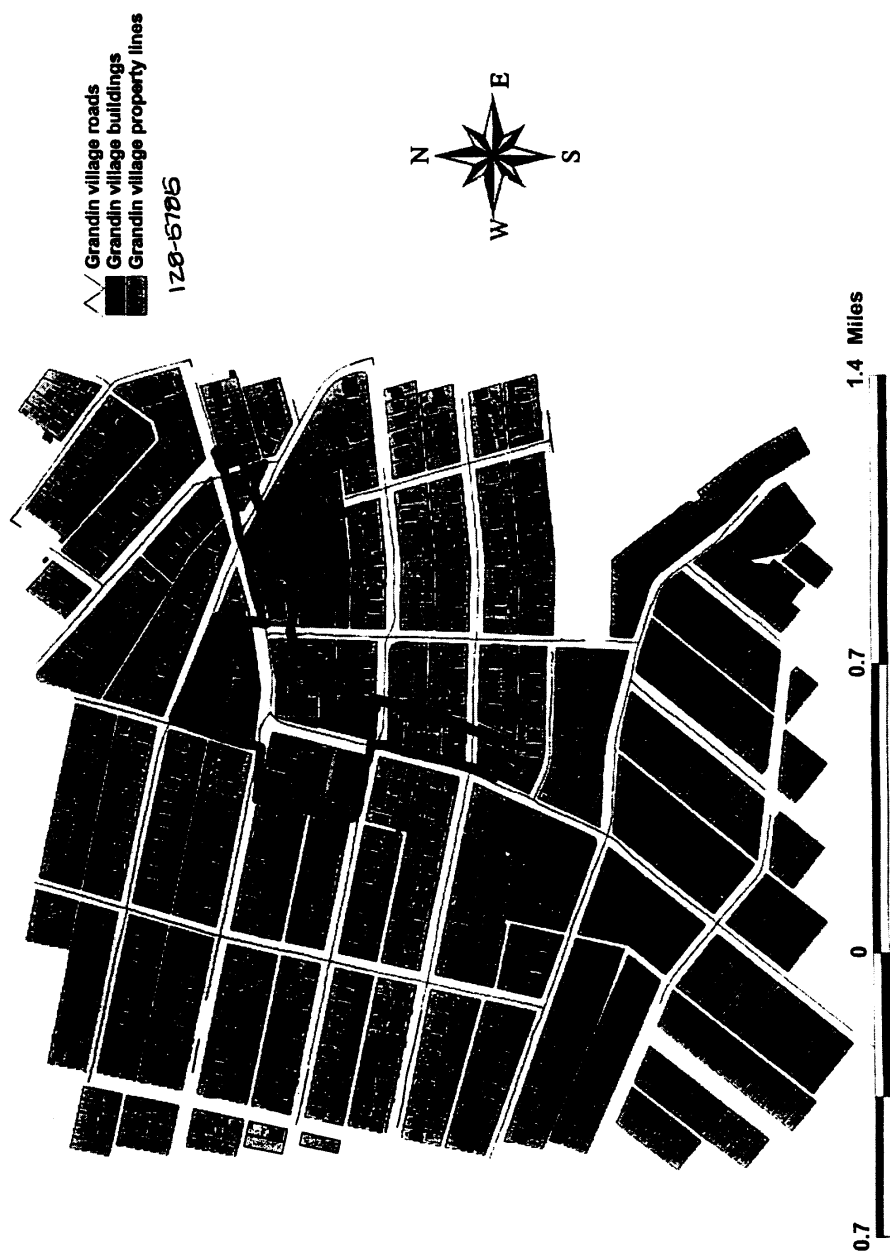
Roanoke, VA 24011

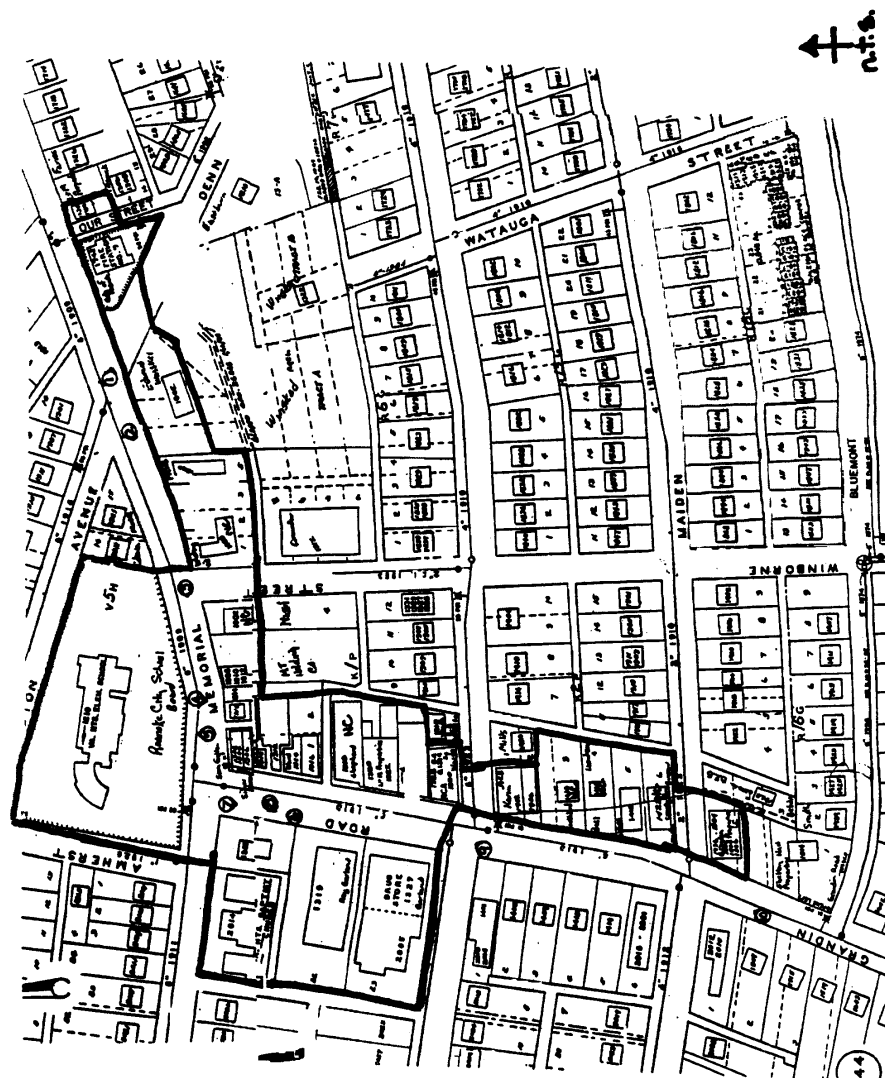
City Council Member or County Supervisor in whose district the property is located: _____

N/A

(Optional) Name and address of person for local historic preservation group:

GRANDIN ROAD HISTORIC DISTRICT PIF-PROPOSED BOUNDARIES





GRANDIN
ROAD
COMMERCIAL
HISTORIC
DISTRICT
PIF -
PROPOSED
BOUNDARIES
JAN 2002
120-6705

SST
11/6/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION endorsing the inclusion of the Grandin Village as a landmark on the Virginia Landmarks Register and the National Register of Historic Places; and authorizing the City Manager to execute the appropriate documents to include that area on the Virginia Landmarks Register and the National Register of Historic Places.

WHEREAS, designation on the Virginia Landmarks Register and the National Register of Historic Places provides many benefits, including economic incentives and increased community pride;

WHEREAS, the City of Roanoke is applying to the Virginia Department of Historic Resources for official designation of the Grandin Village as a landmark on the Virginia Landmarks Register and the National Register of Historic places; and

WHEREAS, inclusion on the Virginia Landmarks Register and the National Register of Historic Places would recognize the cultural and architectural importance of the Grandin Village in the City of Roanoke's early history.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. This Council is of the opinion that the Grandin Village has considerable cultural, architectural and historical significance and is worthy of inclusion on the Virginia Landmarks Register and the National Register of Historic Places;

2. This Council enthusiastically endorses inclusion of the Grandin Village on the Virginia Landmarks Register and the National Register of Historic Places; and

3. The City Manager is hereby authorized to execute on behalf of the City of Roanoke any and all appropriate documents necessary for inclusion of the Grandin Village on the Virginia Landmarks Register and the National Register of Historic Places, as more particularly set forth in the letter to this Council dated January 22, 2002.

ATTEST:

City Clerk

N:\CAPS\RESOLUTIONS\R- Grandin Village Landmark.wpd

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Records System
 Improvement Grant

Background:

The Virginia Department of Criminal Justice Services (DCJS) provides grant funding for the development and improvement of criminal justice records systems. The Criminal Justice Records System Improvement grant provides funds for automation of criminal justice systems, development of technology to improve and enhance services to victims, development of interfaces that facilitate exchange of information and assistance to localities in conversion to Incident Based Reporting (IBR) systems.

On Dec 26, 2001, DCJS awarded the Roanoke Police Department \$165,400 (\$41,350 of which must be a cash match from the City) to automate IBR Field Reporting and data entry thereby insuring quality current data availability to officers and investigators. The required City \$41,350 cash match is available in the Department of Technology account, 013-430-9866-9003.

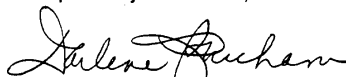
The Police Department currently documents IBR reports in paper format, copies them and then manually enters the data from the reports. The average data entry time per report is twenty minutes. Since converting to the IBR report the Police Department has backlogged over 20,000 reports annually which have been entered using temporary services. Currently a backlog of over 12,000 reports is being addressed by the temporary and full time employees.

Honorable Mayor and Members of Council
January 22, 2002
Page 2

Recommended Action:

Accept the Criminal Justice Records System Improvement Grant of \$165,400 and authorize the City Manager to execute any grant agreements related to such grant. Appropriate the \$124,050 from the Criminal Justice Record System Improvement Program and transfer \$41,350 from the Department of Technology Contingency Account to an account to be established by the Director of Finance in the Grant Fund..

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:rla

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda Johnson, Assistant City Manager for Community Development
Joe Slone, Director of Technology
Joe Gaskins, Chief of Police

#CM02-00007

Ar. 5

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Department of Technology and Grant Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Department of Technology and Grant Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Department of Technology

Appropriations

Capital Outlay	\$ 11,417,024
Contingency (1)	56,860
Nondepartmental Transfer (2)	41,350

Grant Fund

Appropriations

Public Safety	\$ 46,876,823
Criminal Justice Records System Improvement Grant (3-4)	165,400

Revenues

Public Safety	\$ 46,876,823
Criminal Justice Records System Improvement Grant (5-6)	165,400

1) Appropriated from		
General Revenue (013-430-9866-9003)	\$ (41,350)	
2) Transfer to Grant Fund (013-430-9868-9535)	41,350	

3) Appropriated from		
General Revenue	(035-640-3410-9003)	\$ 41,350
4) Appropriated from		
State Grant Fund	(035-640-3410-9007)	124,050
5) Local Match	(035-640-3410-3410)	41,350
6) State Grant Receipts	(035-640-3410-3411)	124,050

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be
in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of a Criminal Justice Records System Improvements Grant, Grant No. 02-A3869CR01, made to the City of Roanoke by the Commonwealth of Virginia Department of Criminal Justice Services and authorizing the execution by the City Manager of the conditions of the grant and other grant documents.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby accepts the offer made by the Commonwealth of Virginia Department of Criminal Justice Services of the Criminal Justice Records System Improvement Grant, No.02-A3869CR01, in the amount of \$165,400 (including the required local cash match), such grant being more particularly described in the letter from the City Manager dated January 22, 2002, upon the terms, provisions and conditions relating to the receipt of the funds.
2. The local cash match shall be in the amount of \$41,350.
3. The City Manager and the City Clerk are hereby authorized to execute, seal and attest, respectively, all documents setting forth the conditions of Grant No. 02-A3869CR01 and required to accept the grant.
4. The City Manager is further directed to furnish such additional information as may be required by the Department of Criminal Justice Services in connection with the acceptance of the foregoing grant or with such project.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award, Improvements and
 Signalization at Airport Road/Municipal
 Road/Towne Square Boulevard
 Bid No. 01-10-50

This project proposes improvement and signalization of the intersection of Municipal Road and Airport Road, as well as Airport Road and Towne Square Boulevard. The installation of a major storm drain beneath Airport Road is also included.

Both the signal project and the proposed storm drain project support the continuing economic development of the area. The traffic signal and roadway improvements will result in increased traffic safety and efficiency of Airport Road and its intersections with Municipal Road and Towne Square Boulevard. The proposed storm drain is part of the capital improvement project known as Innotech Expansion, which will provide a regional storm water management facility for undeveloped properties.

While the intersection improvements and the storm drain improvements could be phased into two separate projects, it is recommended to construct these improvements concurrently. This is expected to reduce traffic disruptions to area businesses and reduce total costs. This will also preclude the need to install the storm drain beneath a newly constructed roadway.

After proper advertisement, five (5) bids were received on Tuesday, December 11, 2001, with Aaron J. Conner, General Contractor, Inc., 221 Kessler Mill Road, Salem, Virginia 24153, submitting the low bid in the amount of \$997,261.40. (See attached bid tabulation.) The roadway and signal improvements portion of the contract are valued at \$527,040.90 and the storm drain improvements at \$470,220.50. The construction time was specified as 150 consecutive calendar days.

Funding in the amount of \$1,134,261.00 is needed for the project. The additional funds that exceed the contract amount will be used for miscellaneous project expenses including advertising, prints, test services, minor variations in bid quantities, utility adjustment by Appalachian Power Company d/b/a American Electric Power and unforeseen project expenses. Funding in the amount of \$1,134,261.00 is available as follows:

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb: www.ci.roanoke.va.us

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Honorable Mayor and Members of Council
January 22, 2002
Page 2

Roadways:

Airport Road Signals	\$ 168,141.00	008-052-9577-9003
Colonial Ave. Property Sale	375,000.00	002-1291
Subtotal	<u>\$ 543,141.00</u>	

Economic Development and Storm Drains:

Public Improvement Bonds - Economic Development	\$ 225,500.00	008-052-9709-9178
Public Improvement Bonds - Storm Drains	134,552.00	008-052-9709-9176
Innotech Expansion	131,068.00	008-052-9627-9003
Subtotal	<u>\$ 491,120.00</u>	

Other:


Undesignated Fund Balance	\$ 45,542.00	008-3329
CMERP Appropriated to Building Reserve	54,258.00	008-052-9575-9173
Sale of Land to Times World	100.00	008-1349
Sale of Land to Trigon	100.00	008-1131
Subtotal	<u>\$ 100,000.00</u>	
Total	<u>\$1,134,261.00</u>	

Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Aaron J. Conner, General Contractor, Inc., in the amount of \$997,261.40, with 150 consecutive calendar days of contract time, and reject all other bids.

Transfer \$54,258.00 from CMERP Appropriation to Building Reserve, and \$131,068.00 from Innotech Expansion Account No. 008-052-9627 to Airport Road Signals Account No. 008-052-9577. Appropriate \$45,542.00 from Capital Projects Fund fund balance, \$375,200.00 from Colonial Avenue Property Sale, \$225,500.00 from the 1999 Bonds for Economic Development, Account No. 008-052-9709, and \$134,552.00 from the 1999 Bonds for Storm Drains, Account No. 008-052-9709, to Airport Road Signals, Account No. 008-052-9577.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB/JGB/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Elizabeth A. Neu, Economic Development Director
Philip C. Schirmer, City Engineer

#CM01-00287

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TABULATION OF BIDS**IMPROVEMENTS AND SIGNALIZATION
AT AIRPORT ROAD/MUNICIPAL ROAD/TOWNE SQUARE BOULEVARD
BID NO. 01-10-50**

Bids were opened by Robert L. White, Manager, Purchasing Department, on Tuesday, December 11, 2001, at 2:00 p.m.

CONTRACTOR	BID AMOUNT
Aaron J. Conner, General Contractor, Inc.	\$ 997,261.40
E. C. Pace Company	\$1,193,357.90
Corte Construction	\$1,225,663.10
Allegheny Construction	\$1,432,922.90
Hammond-Mitchell	\$1,559,146.30

Estimated Cost: \$930,000.00

Office of the City Engineer
Roanoke, Virginia
January 22, 2002

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Water and Capital Projects Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Water and Capital Projects Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Water Fund

Appropriations

Capital Outlay	\$	2,289,193
Nondepartmental (1)		375,000

Revenues

Colonial Avenue Property Sale (2)	\$	375,000
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Capital Projects Fund

Appropriations

Economic Development	\$	24,215,125
Innotech Expansion (3)		-0-
Traffic Engineering	\$	5,560,921
Airport Road Traffic Signal (4-6)		1,524,261
Capital Improvement Reserve	\$ (3,066,221)
Capital Improvement Reserve (7)		401,500
Public Improvement Bonds Series 1999 (8-9)		3,307,279

Revenues

Trigon Insurance Land Sale (10)	\$	100
Times World Corporation Land Sale (11)		100
Transfer from Other Funds (12)		375,000

Fund Balance

Reserved Fund Balance - Undesignated Capital Funds from VDOT Local Match Fund and Development Contributions (13)	\$	985
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1) Transfer to Capital Projects Fund	(002-530-8405-9508)	\$ 375,000
2) Colonial Avenue Property Sale	(002-1291)	375,000
3) Appropriated from General Revenue	(008-052-9627-9003)	(131,068)
4) Appropriated from Bond Funds Series 1999	(008-052-9577-9001)	360,052
5) Appropriated from General Revenue	(008-052-9577-9003)	231,068
6) Appropriated from Water Fund	(008-052-9577-9008)	375,000
7) Buildings and Structures	(008-052-9575-9173)	(54,258)
8) Storm Drains	(008-052-9709-9176)	(134,552)
9) Economic Development	(008-052-9709-9178)	(225,500)
10) Trigon Insurance Land Sale	(008-1131)	100
11) Times World Corporation Land Sale	(008-1349)	100
12) Transfer from Water Fund	(008-110-1234-1035)	375,000
13) Reserved Fund Balance - Capital Projects Fund	(008-3329)	(45,542)

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be
in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE accepting the bid of Aaron J. Conner, General Contractor, Inc., for improvements to and signalization of two intersections on Airport Road, Municipal Road and Towne Square Boulevard, and installation of a major storm drain in the same area, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The bid of Aaron J. Conner, General Contractor, Inc., in the amount of \$997,261.40 for improvements to and signalization of two intersections on Airport Road, Municipal Road and Towne Square Boulevard, and installation of a major storm drain in the same area, as is more particularly set forth in the City Manager's Letter dated January 22, 2002, to this Council, such bid being in full compliance with the City's plans and specifications made therefor and as provided in the contract documents offered the bidder, which bid is on file in the Purchasing Department, be and is hereby ACCEPTED.

2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contract with the successful bidder, based on its proposal made therefor and the City's specifications made therefor, the contract to be in such form

as is approved by the City Attorney, and the cost of the work to be paid for out of funds heretofore or simultaneously appropriated by Council.

3. Any and all other bids made to the City for the above work are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

4. In order to provide for the usual daily operation of the municipal government, an emergency is deemed to exist, and this ordinance shall be in full force and effect upon its passage.

ATTEST:

City Clerk.

I:\Clerk\signalization airport road.wpd



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Custodial/Janitorial Services
Bid No. 01-11-18

Background:

Specifications were developed and, along with an Invitation for Bid, were sent to twenty-three (23) providers of custodial/janitorial services at the following locations: Main Library and branches, Parks & Recreation buildings and Market Square Walkway. The bid was publicly advertised in accordance with Chapter 23.1 of the code of the City of Roanoke. A pre-bid conference was held on December 11, 2001 and ten (10) companies were represented.

Considerations:

Thirteen (13) bids were received. The lowest bid on Section #1 and #2, submitted by Twin Floor Service, did not submit prices on all required locations, thus the bid was considered incomplete and non-responsive. The second lowest bid on Section #1, submitted by Alabama Cleaning Service & Supply Co., Inc. d/b/a Southern Management Co., Roanoke, Virginia met all specifications at a cost of \$4,174.11 per month. The second lowest bid on Section #2, submitted by Renu Inc, Roanoke, Virginia met all specifications at a cost of \$4,976.80 per month. The lowest bid on Section #3, submitted by C & C Franchising, Inc. d/b/a Jani-King of Richmond, Richmond, Virginia met all specifications at a cost of \$1,066.00 per month. Funding for the current year is available in Facilities Management account #001-440-4220-2010. Funding for future years' costs will be included in upcoming operating budgets.

The Honorable Mayor and Members of Council
January 22, 2002
Page 2

Recommended Action:

Award the bids as set forth above for custodial/janitorial services for a period of three (3) years with the option to renew for two (2) additional one (1) year periods and reject all other bids. Council authorize execution of contracts with Alabama Cleaning Service & Supply Co., Inc. d/b/a Southern Management Co., Renu Inc. and C & C Franchising, Inc. d/b/a Jani-King of Richmond which contracts must be approved as to form by the City Attorney.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:bdf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Lynnis B. Vernon, Facilities Management
Robert L. White, Manager, Purchasing

CM02-00006

Bid Tabu...on
 Bids were received, publicly opened and read at 2:00 p.m., December 19, 2001
 For
 Custodial/Janitorial Services
 Bid Number 01-11-18

VENDOR	SECTION #1 LIBRARY MONTHLY COST	SECTION #2 P & REC MONTHLY COST	SECTION #3 MARKET SQ WALKWAY MONTHLY COST	SPECIAL CLEAN UP PER HOUR
CLEAN SWEEP INC	\$7,535.00	N/B	\$2,850.00	\$18.00
SOUTHWEST VA JANITOR & SUPPLY	\$6,978.00	\$8,379.75	\$2,449.00	\$11.90
PREMIER BUILDING SERVICES INC	\$4,992.22	\$5,569.28	\$1,941.75	\$12.50
ALL CLEAN COMMERCIAL MAINTENANCE INC	\$5,666.00	N/B	\$1,780.00	\$20.00
SERVICE MASTER OF ROANOKE TWIN FLOOR SERVICE	\$9,316.66 \$2,900.00	\$14,516.66 \$850.00 NATIONAL GUARD ARMORY	\$4,140.00 \$1,200.00	\$56.00 \$20.00
		\$1,300.00 MAIN OFFICE		
CLEANING SERVICES MANAGEMENT INC	\$4,762.00	\$7,898.00	\$2,030.00	20.00
PROPERTY MAINTENANCE CORP	\$7,135.14	N/B	N/B	\$15.88
SHEEN & SHINE INC	\$8,188.00	\$9,902.00	\$1,687.40	\$13.50
ALABAMA CLEANING SERVICE & SUPPLY CO., INC. d/b/a	\$4,174.11*	\$8,836.02	\$1,887.31	\$12.02
SOUTHERN MANAGEMENT CO. C & C FRANCHISING, INC. d/b/a	\$4,415.00	\$7,266.00	\$1,066.00*	\$14.00
JANI-KING OF RICHMOND	\$5,739.27	\$6,081.32	\$2,184.41	\$15.02
TRANSAMERICAN SECURITY & JANITOR CORP		\$4,976.80*		
RENU INC	\$5,619.10		\$2,145.00	\$8.50

*Indicates Recommendation

551
11/16/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting certain bids made to the City for providing custodial/janitorial services at the Main Library and branches, Parks and Recreation buildings, and the Market Square Walkway; authorizing the proper City officials to execute the necessary contracts for the work; and rejecting all other bids made to the City.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The following bids, made to the City, for providing custodial/janitorial services at the Main Library and branches, Parks and Recreation buildings, and the Market Square Walkway, meeting all the City's specifications and requirements therefor, for an initial period of three (3) years with an option to renew for two (2) additional one (1) year periods, for the amounts specified, which bids are on file in the Office of Supply Management, are hereby ACCEPTED.

<u>Location</u>	<u>Successful Bidder</u>	<u>Annual Cost</u>
Main Library and branches	Alabama Cleaning Service & Supply Co. Inc. d/b/a Southern Management	\$ 50,089.32
Parks & Recreation buildings	Renu Inc	\$ 59,721.60
Market Square Walkway	C & C Franchising, Inc. d/b/a Jani- King of Richmond	\$ 12,792.00

2. The City Manager or her designee is hereby authorized and directed to enter into contractual agreements with Alabama Cleaning Service & Supply Co. Inc., d/b/a Southern Management, Renu Inc, and C & C Franchising, Inc. d/b/a Jani- King of Richmond, for the work, in accordance with the bid specifications, and as more particularly set forth in the City

Manager's letter to this Council dated January 22, 2002, said contracts to be in a form approved by the City Attorney.

3. Any and all other bids made to the City are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Purchase of Automated
Compaction Truck
Bid No. 01-10-48

Background:

Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to replace one (1) automated compaction truck for Solid Waste Management.

Specifications were developed and, along with an Invitation for Bid, were sent to nineteen (19) providers. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

Considerations:

The lowest bid, for one (1) cab/chassis for the compaction truck, submitted by Goodpasture Motor Company, took exceptions to step height, frame reinforcement, alternator, frame mounted tow hooks and revolving amber light. These exceptions are substantial and cannot be waived as informalities; thus, this bid is non-responsive.

The second lowest bid, submitted by Truck Enterprises Volvo, Inc., Roanoke, Virginia, met all specifications at a cost of \$82,993.00.

The lowest bid, for one (1) automated compaction body, submitted by Wilbar Truck Equipment, Inc., took exception to the minimum cubic yard requirement. This exception is substantial and cannot be waived as an informality; thus, this bid is non-responsive.

The Honorable Mayor and Members of Council
January 22, 2002
Page 2

The second lowest bid, submitted by Mid-State Equipment Company, Inc., Buchanan, Virginia, met all specifications at a cost of \$53,500.00. Funding for this equipment will be provided from the 2002 capital lease for equipment and personal computers.

The City Administration plans to issue a Request for Proposals (RFP) in the near future for its 2002 Capital Equipment Lease. The plans for this lease are consistent with capital projects outlined in the City's Capital Maintenance and Equipment Replacement Program (CMERP) as adopted by City Council on September 4, 2001. Included in this CMERP recommendation was \$1,293,500.00 of vehicular equipment earmarked to be financed from lease proceeds. Another \$450,000.00 in lease financing is recommended by the Administration to purchase personal computers as was done in the prior fiscal year. The entire lease amount is recommended to be \$2,145,250.00 which includes these items plus an allowance for other equipment to be recommended for lease financing upon the award of the lease to the bidder providing the lowest interest rate.

Recommended Action:

City Council appropriate funding of \$136,493.00 of capital lease proceeds in advance of issuance as well as adopt a resolution declaring the City's intent to reimburse itself from the proceeds of this capital lease upon its issuance. The maximum amount anticipated to be reimbursed related to the purchase of the automated compaction truck is \$136,493.00. The maximum amount of lease proceeds anticipated to be issued for all equipment under the capital lease is \$2,145,250.00.

Award the bid for the cab/chassis to Truck Enterprises Volvo, Inc. at a total cost of \$82,993.00 and the bid for the automated compaction body to Mid-State Equipment Company, Inc. at a total cost of \$53,500.00 and reject all other bids.

Respectfully submitted,


Darlene L. Butcham
City Manager

DLB:bdf
attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of OMB
Robert K. Bengtson, Director of Public Works
Robert L. White, Manager, Purchasing

CM02-00015

Bid Tabulation
 Bids were received, publicly opened and read at 2:00 p.m., December 9, 2001
 For
 Automated Compaction Truck
 Bid Number 01-10-48

	Carolina Environmental Systems Base Bid	Carolina Environmental Systems Alternate 1	Carolina Environmental Systems Alternate 2	Truck enterprise Volvo	Peterbilt of Richmond	Goodpasture Motor Co.
1 ea - Truck Cab & Chassis	\$83,712.00	\$83,945.00	\$84,988.00	\$82,993.00*	\$84,988.00	\$81,500.00
1 ea - Side Loading, Fully Automated Compaction Body	\$61,109.00	\$61,109.00	\$61,109.00	No Bid	No Bid	No Bid
Delivery	70 - 114 days	70 days	70 days	100 days	100 days	Not given

Continued

	Carolina Environmental Systems Base Bid	Carolina Environmental Systems Alternate 1	Carolina Environmental Systems Alternate 2	Truck Enterprise Volvo	Peterbilt of Richmond	Goodpasture Motor Co.
1 ea - Truck Cab & Chassis	\$83,712.00	\$83,945.00	\$84,988.00	\$82,993.00*	\$84,988.00	\$81,500.00
1 ea - Side Loading, Fully Automated Compaction Body	\$61,109.00	\$61,109.00	\$61,109.00	No Bid	No Bid	No Bid
Delivery	70 - 114 days	70 days	70 days	100 days	100 days	Not given

*Indicated Recommendation

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Fleet Management Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Fleet Management Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Capital Outlay	\$ 1,353,000
FY2002 Lease Purchase - Fleet (1)	82,993
FY2002 Capital Lease (2)	(82,993)

1) Appropriated from

Capital Lease

Financing (017-440-9852-9035) \$ 82,993

2) FY2002 Capital Lease (017-440-9853-9168) (82,993)

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

SJT
11/16/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting certain bids for the purchase of a cab/chassis and automated compaction body, upon certain terms and conditions, and rejecting all other bids made for such equipment.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bids in writing of the following named bidders to furnish to the City the items hereinafter set out and generally described, such items being more particularly described in the City's specifications and any alternates and in each bidder's proposal, are hereby ACCEPTED, at the purchase prices set out with each item:

<u>Quantity</u>	<u>Description</u>	<u>Successful Bidder</u>	<u>Purchase Price</u>
1	Cab/chassis	Truck Enterprises Volvo, Inc.	\$ 82,993.00
1	Automated compaction body	Mid-State Equipment Company, Inc.	\$ 53,500.00

2. The City's Manager of Purchasing is hereby authorized to issue the requisite purchase orders therefore, incorporating into such orders the City's specifications, the terms of such bidder's proposal and the terms and provisions of this resolution.

3. Any and all other bids made to the City for the aforesaid equipment are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.

W.M.H.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION declaring the City's intent to reimburse itself from the proceeds advanced pursuant to a tax-exempt equipment lease purchase agreement for certain moneys to be appropriated by the City for expenditures in connection with the purchase of equipment for the City; and providing for an effective date.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. In accordance with U.S. Treasury Regulations, Section 1.150-2, the City hereby declares that it reasonably expects and intends to reimburse itself from the proceeds advanced pursuant to a tax-exempt equipment lease purchase agreement in a principal amount of not to exceed \$2,145,250 for certain moneys to be appropriated by the City from time to time for expenditures in connection with the purchase of equipment for the City (the "Equipment").
2. The Council hereby determines that the appropriation authorized contemporaneously herewith is being made for a purpose for which the City is authorized to contract with respect to, and contemplated to be reimbursed from the proceeds of, tax-exempt obligations of the City. The maximum principal amount of tax-exempt obligations expected to be contracted for by the City in connection with the financing and purchase of the Equipment is an amount not to exceed \$2,145,250.
3. This is a declaration of official intent adopted pursuant to U.S. Treasury Regulations, Section 1.150-2. This official intent is being made not later than sixty days after the payment of the expenditures authorized by Paragraph 1 of this Resolution.
4. The City Clerk is directed to file this Resolution among the permanent papers of the City and hold it available for public inspection pursuant to the Virginia Freedom of Information Act, §2.2-3700 *et seq.*, Code of Virginia, 1950.
5. This Resolution shall be effective on and after the date of its adoption.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Purchase of Refuse Rear Loading
 Bodies, Bid No. 01-08-76; Purchase
 of Refuse Cab/Chassis,
 Bid No. 01-11-29

Background:

Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to replace three (3) refuse rear loading bodies and three (3) refuse cab chassis for Solid Waste Management.

Specifications were developed and, along with Invitation for Bids, were sent to twenty (20) qualified providers. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

Considerations:

The lowest bid, for three (3) refuse rear loading bodies, submitted by Wilbar Truck Equipment, Inc., and the second lowest bid, submitted by Mid-State Equipment Company, Inc., took exceptions to tailgate, packing mechanism control and packing cylinder requirements. These exceptions are substantial and cannot be waived as informalities; thus, these bids are non-responsive.

The third lowest bid, submitted by Bilthuis & Associates, Inc., LLC, Midlothian, Virginia, took exception to fixed rear steps instead of folding rear steps. This exception is not substantial and is waived as an informality. This bid was submitted at a cost of \$37,623.00 per unit. This purchase is from a previous bid that reserved the right to purchase additional units at a fixed cost for six months.

The lowest bid, for three (3) refuse cab/chassis, submitted by Virginia Truck Center, took exceptions to floor height, step height, fixed cab side windows and rear window. These exceptions are substantial and cannot be waived as informalities; thus, this bid is non-responsive.

The second lowest bid, submitted by Cavalier Equipment Corporation, Cloverdale, Virginia, took exception to the ply on the rear tires. This exception is not substantial and is waived.

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb: www.ci.roanoke.va.us

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The Honorable Mayor and Members of Council
January 22, 2002
Page 2

as an informality. This bid was submitted at a cost of \$104,887.00 per unit. Funding for this equipment will be provided from the 2002 capital lease for equipment and personal computers.


The City Administration plans to issue a Request for Proposals (RFP) in the near future for its 2002 Capital Equipment Lease. The plans for this lease are consistent with capital projects outlined in the City's Capital Maintenance and Equipment Replacement Program (CMERP) as adopted by City Council on September 4, 2001. Included in this CMERP recommendation was \$1,293,500.00 of vehicular equipment earmarked to be financed from lease proceeds. Another \$450,000.00 in lease financing is recommended by the Administration to purchase personal computers as was done in the prior fiscal year. The entire lease amount is recommended to be \$2,145,250.00 which includes these items plus an allowance for other equipment to be recommended for lease financing upon the award of the lease to the bidder providing the lowest interest rate.

Recommended Action:

City Council appropriate funding of \$427,530.00 of capital lease proceeds in advance of issuance as well as adopt a resolution declaring the City's intent to reimburse itself from the proceeds of this capital lease upon its issuance. The maximum amount anticipated to be reimbursed related to the purchase of the refuse rear loading bodies and cab/chassis is \$427,530.00. The maximum amount of lease proceeds anticipated to be issued for all equipment under the capital lease is \$2,145,250.00.

Award the bid for the three (3) refuse rear loading bodies to Bilthuis & Associates, Inc., LLC at a total cost of \$112,869.00 and the bid for the three (3) refuse cab/chassis to Cavalier Equipment Corporation at a total cost of \$314,661.00 and reject all other bids.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:bdf

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of OMB
Robert K. Bengtson, Director of Public Works
Robert L. White, Manager, Purchasing

#CM02-00016

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Bid Tabulation
 Bids were received, publicly opened and read at 2:00 p.m., September 20, 2001
 For
 Refuse Rear Loading Bodies
 Bid Number 01-08-76

Item	Blithuis & Associates, Inc. LLC	Blithuis & Associates, Inc. LLC	Blithuis & Associates, Inc. LLC	Wilbar Truck Equip., Inc.	Mid-Atlantic Waste Systems	Mid-State Equip. Co., Inc.	Mid-State Equip. Co., Inc.	Cavalier Equip. Corp.
	Base Bid	Alternate 1	Alternate 2			Base Bid	Alternate 1	
3 - Refuse Rear Loading Bodies	\$37,623.00 * each	\$37,623.00 each	\$37,623.00 each	\$37,210.50 each	\$37,625.29 each	\$37,350.00 each	\$38,370.00 each	\$38,113.30 each
	\$112,869.00 * total	\$112,869.00 total	\$112,869.00 total	\$111,631.50 total	\$112,875.87 total	\$112,050.00 total	\$115,110.00 total	\$114,339.90 total
Delivery	90 - 120 days	90 - 120 days	90 - 120 days	30 - 45 days	45 days	30 days	30 days	45 - 60 days

* Indicated Recommendation

Bid Tabulation
Bids were received, publicly opened and read at 2:00 p.m., December 13, 2001
For
Cab/Chassis for Refuse Rear Loading Bodies
Bid Number 01-11-29

Item	Cavalier Equip. Corp.	Virginia Truck Center, Inc.
3 - Cab/Chassis for Refuse Rear Loading Bodies	\$104,887.00* each	\$84,217.00 each
	\$314,661.00* total	\$252,651.00 total
Delivery	90 - 120 days	90 days

* Indicated Recommendation

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Fleet Management Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Fleet Management Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Capital Outlay	\$ 1,353,000
FY2002 Lease Purchase - Fleet (1)	427,530
FY2002 Capital Lease (2)	(427,530)

1) Appropriated from

Capital Lease

Financing	(017-440-9852-9035)	\$ 427,530
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2) FY2002 Capital Lease	(017-440-9853-9168)	(427,530)
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BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

537
11/16/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting certain bids for the purchase of refuse cab/chassis and refuse rear loading bodies, upon certain terms and conditions, and rejecting all other bids made for such equipment.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bids in writing of the following named bidders to furnish to the City the items hereinafter set out and generally described, such items being more particularly described in the City's specifications and any alternates and in each bidder's proposal, are hereby ACCEPTED, at the purchase prices set out with each item:

<u>Quantity</u>	<u>Description</u>	<u>Successful Bidder</u>	<u>Purchase Price</u>
3	Refuse rear loading bodies	Bilthuis & Associates, Inc., LLC	\$ 112,869.00
3	Refuse cab chassis	Cavalier Equipment Corporation	\$ 314,661.00

2. The City's Manager of Purchasing is hereby authorized to issue any requisite purchase orders therefore, incorporating into such orders the City's specifications, the terms of such bidder's proposal and the terms and provisions of this resolution.

3. Any and all other bids made to the City for the aforesaid equipment are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.

**CITY OF ROANOKE
OFFICE OF CITY CLERK**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145
E-mail: clerk@ci.roanoke.va.us

MARY F. PARKER, CMC
City Clerk

STEPHANIE M. MOON
Deputy City Clerk

January 22, 2002

File #467

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

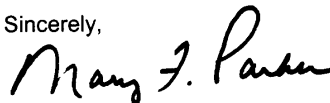
Pursuant to Chapter 9, Education, Code of the City of Roanoke (1979), as amended, establishing a procedure for the election of School Trustees, this is to advise you that the three-year terms of office of Charles W. Day and Brian J. Wishneff will expire on June 30, 2002. Mr. Day is ineligible to serve another term inasmuch as he has served three consecutive three year terms of office.

Pursuant to Section 9-16 of the Code of the City of Roanoke (1979), as amended, on or before February 15 of each year, Council shall announce its intention to elect Trustees of the Roanoke City School Board for terms commencing July 1 through (1) public announcement of such intention at two consecutive regular sessions of the Council and (2) advertisement of such intention in a newspaper of general circulation in the City twice a week for two consecutive weeks.

Section 9-17 of the City Code provides that applications must be filed in the City Clerk's Office by March 10 of each year. Since March 10, 2002, falls on Sunday, and City offices will be closed, the deadline for receipt of applications will be Friday, March 8 at 5:00 p.m. Application forms will be available in the City Clerk's Office and may be obtained between the hours of 8:00 a.m., and 5:00 p.m., Monday through Friday. Information describing the duties and responsibilities of School Trustees will also be available.

With kindest regards, I am

Sincerely,



Mary F. Parker, CMC
City Clerk

MFP:sm

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Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishn
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

7.a.

Roanoke
City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

January 22, 2002

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The School Board respectfully requests City Council to approve the following appropriations which were approved at its January 15 meeting.

- \$57,700.00 for the Technology Literacy Challenge Grant to provide individual competencies and training in instructional technology to teachers in grades K-2 in order to improve the academic and technological achievement of the district's primary students. This continuing grant program will be one hundred percent reimbursed by federal funds.
- \$110,706.00 for the Flow Through program to provide aid for the education and guidance of handicapped students. This continuing program will be one hundred percent reimbursed by federal funds.
- \$42,919.00 to provide for the purchase of capital equipment at Fairview Elementary School. Funding will be provided from VPSA Bonds approved for the project.
- \$59,401.00 to provide for the purchase of capital equipment at Fishburn Park Elementary School. Funding will be provided from VPSA Bonds approved for the project.

The Board appreciates the approval of this request.

Sincerely,

Cindy H. Lee, Clerk

re

cc: Mr. Sherman P. Lea
Dr. E. Wayne Harris
Mr. Richard L. Kelley
Mr. Kenneth F. Mundy
Mr. William L. Murray

Mrs. Darlene L. Burcham
Mr. William M. Hackworth
Mr. James D. Grisso
Mrs. Ann H. Shawver (with accounting details)

Preparing Students for Success

7.a.

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JAMES D. GRISSO
Director of Finance
January 22, 2002

JESSE A. HALL
Deputy Director

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William O. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Council Member
The Honorable William H. White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

\$57,700 for the Technology Literacy Challenge Grant to provide individual competencies and training in instructional technology to teachers in grades K-2 in order to improve the academic and technological achievement of the district's primary students. This continuing grant program will be one hundred percent reimbursed by federal funds.

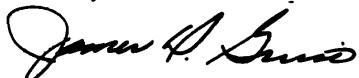
\$110,706 for the Flow Through program to provide aid for the education and guidance of handicapped students. This continuing program will be one hundred percent reimbursed by federal funds.

\$42,919 to provide for the purchase of capital equipment at Fairview Elementary School. Funding will be provided from VPSA Bonds approved for the project.

\$59,401 to provide for the purchase of capital equipment at Fishburn Park Elementary School. Funding will be provided from VPSA Bonds approved for the project.

We recommend that you concur with this request of the School Board.

Sincerely,



James D. Grisso
Director of Finance

JDG/JSY/pac

Attachment

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
E. Wayne Harris, Superintendent of City Schools

AHS

7.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School and School Capital Projects Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 School and School Capital Projects Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

School Fund

Appropriations

Education	\$ 129,403,206
Flow Through 2001-02 (1)	857,539
Technology Literacy Challenge Grant 2001-02 (2-5)	57,700

Revenues

Education	\$ 127,859,082
Flow Through 2001-02 (6).	857,539
Technology Literacy Challenge Grant 2001-02 (7)	57,700

School Capital Projects Fund

Appropriations

Education	\$ 20,449,895
Fairview Elementary School Improvements (8)	2,650,517
Fishburn Park Elementary School Improvements (9)	2,414,915

Revenues

Education	\$ 20,449,895
Literary Fund Loan - Fairview Elementary (10)	2,557,767
Literary Fund Loan - Fishburn Park Elementary (11)	2,412,665

1) Professional Health Services	(030-062-6571-6553-0311)	\$ 110,706
2) Maintenance Contracts	(030-062-6834-6002-0332)	14,250
3) Inservice Workshops	(030-062-6834-6002-0587)	14,606
4) Educational and Recreational Supplies	(030-062-6834-6002-0614)	3,000
5) Additional -Machinery and Equipment	(030-062-6834-6002-0821)	25,844
6) Federal Grant Receipts	(030-062-6561-1102)	110,706
7) Federal Grant Receipts	(030-062-6834-1102)	57,700
8) Appropriated from Literary Loan/ VPSA Bond	(031-060-6056-6896-9006)	42,919
9) Appropriated from Literary Loan/ VPSA Bond	(031-060-6057-6896-9006)	59,401
10) VPSA Bonds - Fairview	(031-060-6056-1268)	42,919
11) VPSA Bonds - Fishburn Park	(031-060-6057-1269)	59,401

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

7.b.1



Roanoke City Department of Planning
 Building and Development
 2000 16th Street, N.W.
 Roanoke, VA 24011
 (540) 951-1111
 Email: planning@cityofroanoke.com

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Determination that the location of the proposed Roanoke Academy of Math and Science at 1122 19th Street, N. W. is substantially in accord with *Vision 2001-2020*, the City's Comprehensive Plan.

Planning Commission Action:

On December 20, 2001, the Planning Commission made the required Comprehensive Plan determination for the Roanoke Academy of Math and Science. By a vote of 6-0 (Messrs. Butler, Campbell, Chrisman, Dowe, Hill and Rife voting for the request and Mr. Manetta absent), the Commission determined that the location of the proposed Roanoke Academy of Math and Science was substantially in accord with the Comprehensive Plan, *Vision 2001-2020*. At the Commission meeting, there was additional discussion of the replacement of park land and the disposition of the existing school building. Mr. Carl Cooper expressed concerns with respect to the replaced park land and future costs and use of the existing building.

Background:

Section 15.2-2232 of the Virginia Code requires that the Planning Commission recommend, as part of the Comprehensive Plan, the general location, character, and extent of public features. Furthermore, no street, park, public building, structure, or facility shall be constructed, established or authorized, unless the location, character and extent of the features have been submitted and approved by the Planning Commission as being in substantial accord with *Vision 2001-2020*. A public hearing may be held and such finding is to be communicated in writing to the governing body.

Roanoke City Planning Commission Architectural Review Board Board of Zoning Appeals

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On October 18, 2001, the Planning Commission considered the Comprehensive Development Plan for the Roanoke Academy of Math and Science at 1122 19th Street, N. W. and approved the plan. The staff report noted that the school was consistent with the recommendations set forth in *Vision 2001-2020* in its location, its brick construction, scale of development, and the multi-service facilities to be available (fitness center, meeting and media rooms, etc.).

On November 13, 2001, the Board of Zoning Appeals granted a special exception permit for the school, finding that the proposed construction furthered the intent of the Comprehensive Plan, and complied with the standards for a special exception permit set forth in the City's Zoning ordinance.

On December 20, 2001, the Planning Commission held a public hearing to consider the project with respect to its accordance with the Comprehensive Plan. At the public hearing, staff recommended that the public facility was in accord with the *Vision 2001-2020* Comprehensive Plan. In addition, staff noted that at least 3 acres of park land used by the proposed facility was to be replaced by the City (as required by the federal government since JFK Park had been acquired with federal monies) and that there had not been a decision by the City regarding the disposition of the existing school facility. In December, the School Board adopted a resolution that gave the required advance notice to the City that the existing building would no longer be used as a school and would be available for other purposes after the new facility was completed. Commission members discussed the disposition of the school and recommended that the City should carefully consider the park replacement matter, as well as the disposition of the facility, to ensure that the neighborhood is informed and that City does not incur unnecessary or additional costs for demolition or repairs to the existing building. *Mr. Carl Cooper, 2120 Carroll Avenue, N. W.*, addressed the Commission (see attached letter) requesting that adequate consideration and assurances be given to the neighborhood regarding park replacement land and the disposition of the existing school building.

Considerations:

Vision 2001-2020 notes that a new school is to be constructed in the Melrose Rugby neighborhood. In addition the plan recommends the following:

School facilities: School facilities are important communities facilities. The location of new school facilities will be carefully planned to enhance the surrounding community and adhere to the City design principles recommended.


Lifelong learning: Roanoke will support schools, libraries, continuing and higher education programs, community based education and recreation programs that foster a positive learning environment for persons of all ages.

Design Principles for Traditional Neighborhoods: All streets should have sidewalks and should be lined with trees. On street parking should be encouraged, driveways and garages should be located to the side and rear of buildings. Neighborhood schools and commercial centers should be preserved. Houses should be consistent in terms of front setback and bulk.

Recommendation:

Planning Commission recommends that City Council find that the proposed school facility is in accord with *Vision 2001-2020*, the Comprehensive Plan for the City of Roanoke. The proposed facility is noted in the Comprehensive Plan, and the facility's character and features are in keeping with the recommended policies and design principles for development.

Respectfully submitted,



D. Kent Chrisman, Chairman
City Planning Commission

C: Darlene Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steve Talevi, Assistant City Attorney

From The Desk Of:

CARL D. COOPER

12/20/2001

Roanoke City Planning Commission
c/o Chairman Melvin Hill
215 Church Avenue, SW
Room 166
Roanoke, VA 24016

RE: Determination of whether the location of the proposed Roanoke Academy of Math and Science at 1122 19th Street, N.W., is substantially in accord with Vision 2001, the City's comprehensive plan.

Dear Chairman Hill and Members of the Planning Commission;

I am writing to ask a few questions regarding the above agenda item.

- 1) Preliminary research indicates that the Roanoke School Board is attempting to replace the city owned park land with land that they intend to purchase and donate to the Roanoke Greenway project. I would ask the Commission and City Council to determine if land donated to a different part of the city is substantially sufficient to meet the land replacement requirements. I would also ask that special attention be paid to ensure that if a donation to the Roanoke Greenway project is determined to be adequate, that such donation adds to the available city park land and is not somehow mixed in with already approved Storm Water Management and Roanoke Greenway land acquisitions.
- 2) I would also ask that adequate assurances be received from the School Board that they will comply with land replacement

regulations. I would also ask the Planning Commission to adequately alert City Council to this issue.

3) In as much as the School Board recently passed a resolution giving the City a 1 year notice that it will have no use for the current school facility, does the reversion of the current facility to city control substantially comply with the City's comprehensive plan and the Melrose-Rugby neighborhood plan? The reversion of the building to city control seems particularly troubling in light of recent and current budget pronouncements. How will the building be used and how much will it cost to refurbish it? Who will pay these costs? How will the neighborhood be protected from the possibility that the current school building will sit vacant and become a massive eyesore in the heart of a great residential area?

Thank you in advance for your consideration of my concerns.

Respectfully yours,



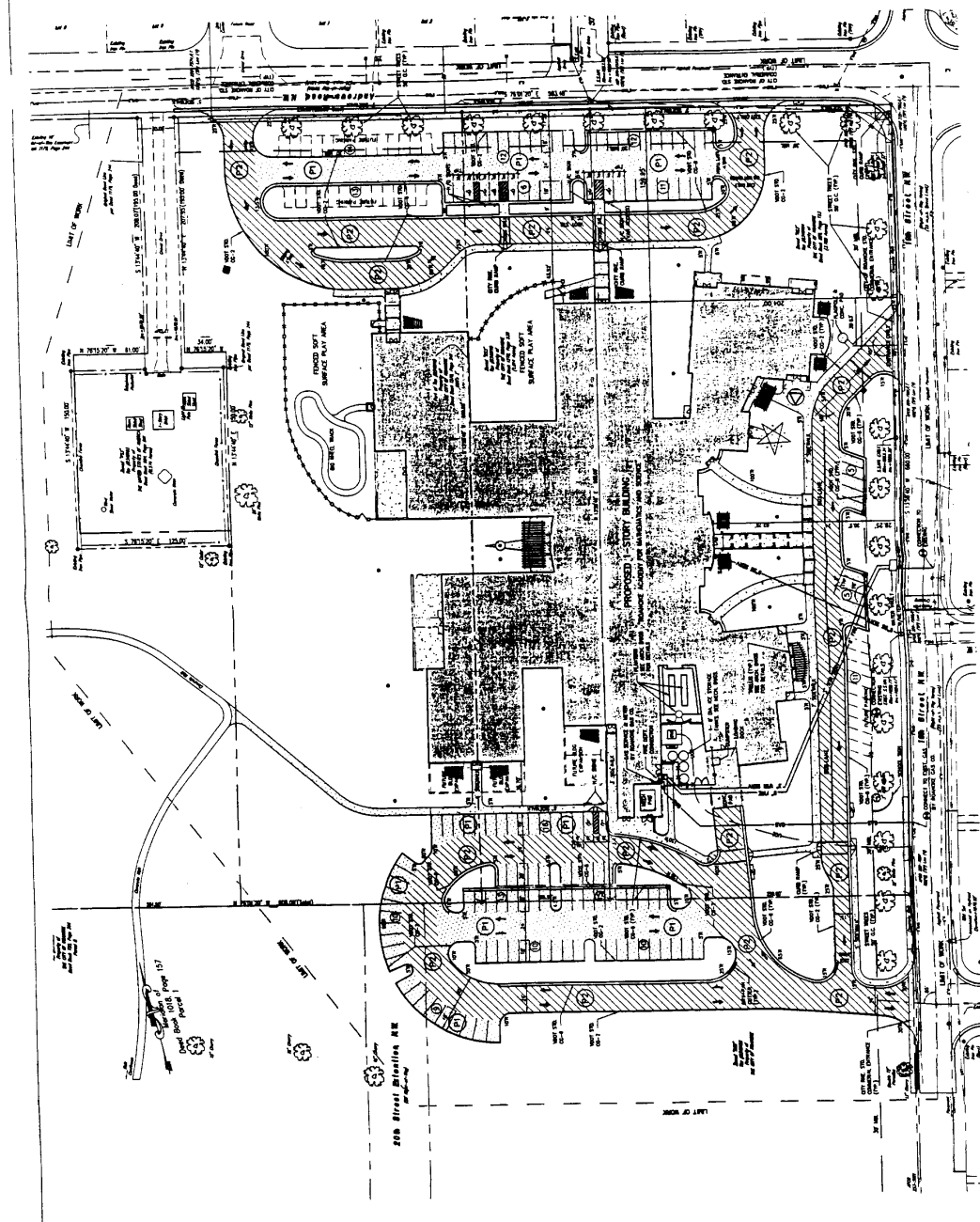
Carl D. Cooper

CDC/lc

From The Desk Of:

CARL D. COOPER
2120 CARROLL AVENUE, NW
ROANOKE, VA ♦ 24017 ♦ (540) 342-7474

Page 2 of 2



551
11/4/02

7.b.1

IN THE COUNCIL FOR THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION finding that the proposed location of the Roanoke Academy of Math and Science at 1122 19th Street, N.W., is substantially in accord with Vision 2001-2020, the City's Comprehensive Plan.

WHEREAS, Vision 2001-2020, the Comprehensive Plan for the City of Roanoke, is recognized and used as the guide for the general development of the City as a whole;

WHEREAS, the Planning Commission for the City of Roanoke, after giving proper legal notice, and after conducting a public hearing on the matter, has made its recommendation to City Council that the location of the proposed Roanoke Academy of Math and Science at 1122 19th Street, N.W., in an area currently occupied by a portion of Kennedy Park, is substantially in accord with Vision 2001-2020, the Comprehensive Plan for the City of Roanoke; and

WHEREAS, the proposed location of the Roanoke Academy of Math and Science is described in the Planning Commission's letter dated January 22, 2002, to this Council, and the attachments thereto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the proposed location of the Roanoke Academy of Math and Science as set forth in the Planning Commission's report to this Council dated January 22, 2002, is substantially in accord with Vision 2001-2020, the City's Comprehensive Plan.

ATTEST:

City Clerk.

7.b.2



Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishneff
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke
City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

January 22, 2002

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The Roanoke City School Board approved the attached Resolution regarding the Roanoke Academy for Mathematics and Science project at its December 11, 2001, meeting. The Resolution requests that City Council dedicate approximately 8.5 acres of land on the corner of 19th Street and Andrews Road, a portion of which is currently dedicated to park use, for school use for the new Roanoke Academy for Mathematics and Science with an effective dedication date of on or about April 1, 2002.

The Resolution further notifies City Council of its intent to declare the current site which houses the Roanoke Academy for Mathematics and Science facility to be no longer needed for school purposes. The School Board anticipates that the site would be returned to the City on or about July 1, 2003.

Enclosed is a letter from Sherman Lea, School Board Chairman, which was provided to City Council on January 4, 2002, as background information on the Roanoke Academy for Mathematics and Science project.

The Roanoke City School Board respectfully requests City Council to approve the Resolution to dedicate the Kennedy Park site to the Schools for the new facility and to return the current school site to the City.

Sincerely,

Cindy H. Lee, Clerk

re

Enc.

cc: Mr. Sherman P. Lea
Dr. E. Wayne Harris
Mr. Richard L. Kelley

Mrs. Darlene L. Burcham
Mr. William M. Hackworth

Preparing Students for Success



Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishneff
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke
City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

DECEMBER 11, 2001

RESOLUTION RELATING TO THE CONSTRUCTION OF A PUBLIC
ELEMENTARY SCHOOL IN KENNEDY PARK AND NOTIFYING CITY COUNCIL
OF THE SCHOOL BOARD'S INTENT TO DECLARE A SCHOOL SITE
NO LONGER NEEDED FOR SCHOOL PURPOSES.


WHEREAS, the School Board of the City of Roanoke finds that the public interest of the citizens of the City would be best served by the construction of a public elementary school to serve the citizens upon approximately 8.5 acres of land at the corner of 19th Street and Andrews Road; and

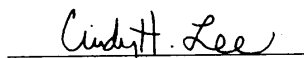
WHEREAS, the proposed new public elementary school would replace the current Roanoke Academy of Mathematics and Science located on the corner of 19th Street and Carroll Street.

THEREFORE BE IT RESOLVED,

1. That the School Board request that City Council of the City of Roanoke dedicate approximately 8.5 acres of land (Tax Map numbers 2340104, 2340110 and approximately 3.2 acres of Tax Map number 2340121) on the corner of 19th Street and Andrews Road, a portion of which is currently dedicated to park use, for school use for the new Roanoke Academy of Mathematics and Science, such dedication to be effective on or about April 1, 2002; and

2. That the School Board hereby initially notifies City Council of the City of Roanoke of its intent to declare the current Roanoke Academy of Mathematics and Science, located on approximately 5 acres, located on the corner of 19th Street and Carroll Street to be no longer needed for school purposes. The School Board anticipates that this site would be returned to the City on or about July 1, 2003.


Chairman of the Board


Clerk of the Board

Preparing Students for Success



Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishneff
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke
City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

January 4, 2002

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The Roanoke City School Board has completed the planning and design process for the new Roanoke Academy for Mathematics and Science facility. The construction of the new facility will commence in the spring of 2002 and be completed by the summer of 2003. We are presently awaiting final word from the Federal Department of Interior regarding the removal of the deed restriction on the Kennedy Park site. Once that approval is received we will be able to proceed with the project.

Planning for the project started over one year ago when the School Board decided to construct a new facility for Roanoke Academy for Mathematics and Science rather than renovate the present facility. It was also decided that the new facility would be constructed on the corner of 19th Street and Andrews Road in Kennedy Park in order to avoid relocating the students while the building was under construction. The relocation of the new facility also will provide substantially more space for the school and it will enable us to build a one-story state-of-the-art building.

A number of public meetings have been held at the school with parents, staff, and the neighborhood to review the plans for the school. We have also met with the Rugby Neighborhood Association in order to receive their input for the new building to be located in Kennedy Park. The City Planning Commission and the Board of Zoning Appeals have reviewed the plans and provided all of the necessary approvals so that the facility construction can begin as soon as the title restriction is removed.

Preparing Students for Success

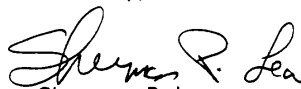
Members of Council
Page 2
January 4, 2002

During our discussions with the community and parents, the proposed facility was greeted with enthusiastic support in meeting the long-term educational needs of our students and the community. The school will have a gymnasium suitable for community-based recreational activities and the general public will have access during non-school hours to the library-media center and the cafetorium.

The Schools will demolish the old school building and return the present school site to the City. In the near future, we will be asking City Council to approve a resolution to dedicate the Kennedy Park site to the Schools for the new facility and to return the current school site back to the City.

The School Board appreciates your support for this project and for financing 50% of the project cost for the new school.

Sincerely,



Sherman P. Lea
Chairman

re

cc: School Board Members
Dr. E. Wayne Harris

7.c.



Roanoke City Department of Planning
 Building and Development
 Planning Commission
 215 South Main Street
 Roanoke, Virginia 24002
 Phone: (540) 343-1234
 Fax: (540) 343-1235
 Email: planning@roanokeva.gov

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Roanoke City Department of Parks and Recreation to rename Oak Park, located in the Wasena Neighborhood between Kerns Avenue and Hamilton Terrace, to Triangle Park.

Planning Commission Action:

On December 20, 2001, the Planning Commission considered the proposed name change. By a vote of 6-0 (Messrs. Butler, Campbell, Chrisman, Dowe, Hill and Rife voting for the request and Mr. Manetta absent), the Commission recommended approval.

Background:

On October 17, 2001, the Acting Director of Parks & Recreation advised in a letter to the Planning Commission that the Wasena Neighborhood Forum had requested that Oak Park be renamed Triangle Park (see attached letter). She noted that the forum members had researched the history of the park and could find no records to reflect why the park was named, Oak Park. Wasena residents have referred to the park as the "Triangle" for years because of its shape. Because the organization uses the park for functions, they would like to have it named to reflect its reference in the neighborhood.

On November 15, 2001, at the Planning Commission meeting, the Ordinance and Names Committee of the Planning Commission recommended changing the name of Oak Park to Triangle Park. Mr. Wayne Stanton, a resident of Kerns Avenue, addressed the Commission on behalf of the Wasena Neighborhood Forum. Planning Commission members discussed the name of the park, and questioned whether the name of an adjoining street, Oak Park Street, should be considered in the overall discussion. The Commission referred the matter back to staff and the Ordinance and Names Committee for further research and recommendation.

Roanoke City Planning Commission Architectural Review Board Board of Zoning Appeals

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Following the Commission's meeting on November 15, 2001, Planning staff found no additional information on the origin of the park name. However, staff determined that in July, 1972, 12-1/2 Street from Kerns Avenue to Howbert Avenue, S. W., was renamed Oak Park Street in order to provide a unified street name system (Ordinance No. 20373). The Planning Commission report advised that there were two streets with the same name, one near Wasena Park and the other near the West End Neighborhood. It was noted that there was confusion with duplicate street names. Two residences were on the short street at the time of the renaming (these residences are still existing on the street).

Recommended Action:

By a vote of 6-0, the Planning Commission recommends that the name of Oak Park be changed to Triangle Park.

Although there was discussion by Planning Commission members of changing the street name since there would no longer be an Oak Park, it was felt that a street name change would be inconvenient to residents of the street, especially since their address already has been changed one time. In addition, the name "Oak Park Street" is not a duplicate name and can provide residents with acceptable address service.

Respectfully submitted,



D. Kent Chrisman, Chairman
City Planning Commission

C: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steve Talevi, Assistant City Attorney
Wanda Reed, Acting Manager, Parks and Recreation
Wayne Stanton, Wasena Neighborhood Forum, 1218 Kerns Avenue, SW 24015



210 Reserve Avenue SW Roanoke, Virginia 24016 540/853-2236 FAX 540/853-1287

RECYCLED PAPER

October 17, 2001

RECEIVED

OCT 21 2001

Planning and
Code Enforcement

Planning Commission
D. Kent Christman, Chairman
215 Church Ave., Room 166
Roanoke, VA 24016

RE: Renaming of Oak Park

Dear Mr. Christman:

The Wasena Neighborhood Forum, recently met to discuss a small triangular tract of land between Kerns and Hamilton Avenue which is presently referred to as Oak Park.

The members of this Neighborhood Forum questioned the reason for naming this land Oak Park. Forum members have thoroughly researched the history of the park and found that records do not reflect for what the park was named. Residents in the neighborhood have referred to this park as the "Triangle" due to its shape for many years and continue to use this name. Residents hold many neighborhood functions as this park.

Forum members are requesting an official name change of this park to **Triangle Park**.

I am requesting that this issue be placed on the next Planning Commission's agenda and a recommendation sent to City Council so that they may officially adopt the name **Triangle Park**.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Wanda B. Reed".

Wanda B. Reed
Acting Director

WBR/kaj

cc: Wasena Neighborhood Forum members

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Roanoke City Parks & Recreation



Community Center:

Pool Facility:

Park: **Oak**

Size: 0.3 Acre

Location: Oak Park St., S.W. between
Hamilton & Kerns Ave.
Scenic open space.

Land: \$500

Facilities	Number/ Size	Condition				Program Use/ Analysis
		Exc.	Good	Fair	Poor	
Baseball Field						
Concession Building						
Infields						
Outfields						
Fencing						
Bleachers						
Scoreboard						
Lighting						
Maintenance Building						
Softball Fields						
Concession Building						
Infields						
Outfields						
Fencing						
Bleachers						
Scoreboard						
Lighting						
Maintenance Facility						
Football Field						
Concession Building						
Playing Field						
Goals						
Bleachers						
Scoreboard						
Basketball Courts						
Fencing						
Playing Surface						
Lighting						
Striping						
Goals						
Nets						

SS
12/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION renaming Oak Park, located in the Wasena Neighborhood, to Triangle Park.

WHEREAS, Wasena Neighborhood Forum members have researched the history of Oak Park and have found no records which reflect why the park was named Oak Park;

WHEREAS, Wasena residents have referred to the park as "the Triangle" for years because of its shape;

WHEREAS, because the Wasena Neighborhood Forum uses the park for functions, the Wasena Neighborhood Forum would like to have the park named to reflect its common reference in the neighborhood;

WHEREAS, the Wasena Neighborhood Forum has requested that Oak Park be renamed Triangle Park; and

WHEREAS, the Planning Commission at its meeting on November 15, 2001, recommended changing the name of Oak Park to Triangle Park.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council concurs in the Planning Commission's recommendation that the name of Oak Park be changed to Triangle Park; and
2. The City Manager is requested to cause the renaming of this park to be noted with

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the installation of appropriate signs to indicate that Oak Park is now named Triangle Park; and

3. The City Engineer is directed to cause the change in the above public park's name to be appropriately reflected and noted on all maps and plats lodged in his care.

ATTEST:

City Clerk.

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JAC

9.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager's acceptance of a donation to the City of Roanoke of a parcel of land identified as Official Tax No. 3070318, and expressing appreciation to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton for the donation.

WHEREAS, the City of Roanoke is desirous of acquiring certain property as a site for a multipurpose Stadium/Amphitheater facility and Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton have offered to transfer certain property, as a gift to the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager is authorized to accept the gift of the parcel of land identified as Official Tax No. 3070318 and to execute any documents necessary for transfer of the property to the City.
2. The City's acceptance of the property bearing Official Tax No. 3070318, from Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton, is subject to the City being able to obtain a satisfactory environment assessment of the property.
2. This Council expresses its appreciation to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton for their generous donation of this property.
3. The City Clerk is directed to send an attested copy of this ordinance to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton

ATTEST:

City Clerk.

N:\CAPS\ORDINANCES\o-Powers donation 12-17-01.wpd

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9.b.

**CITY OF ROANOKE
OFFICE OF CITY CLERK**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145
E-mail: clerk@ci.roanoke.va.us

MARY F. PARKER, CMC
City Clerk

STEPHANIE M. MOON
Deputy City Clerk

January 17, 2002

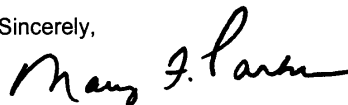
The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

On January 7, 2002, Council requested that the City Attorney be instructed to prepare a measure discontinuing the Property Maintenance Code Board of Appeals, inasmuch as requirements applicable to the Building Code Board of Appeals also apply to the Property Maintenance Code Board of Appeals.

With kindest regards, I am

Sincerely,



Mary F. Parker, CMC
City Clerk

MFP:sm

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9.b.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §7-7, Building code board of appeals created; composition, eliminating the exception of appeals pursuant to the BOCA National Property Maintenance Code from the jurisdiction of the building code board of appeals, and repealing §7-8, Property maintenance code board of appeals; created; composition, Article II, Building Code, Chapter 7, Building Regulations, of the Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke:

1. Section 7-7, Building code board of appeals created; composition, Article II, Building Code, Chapter 7, Building Regulations, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§7-7. Building code board of appeals created; composition.

Pursuant to the building code, there is hereby created a building code board of appeals, which shall consist of five (5) members and two (2) alternates who shall be appointed by city council. The building code board of appeals shall have jurisdiction to consider appeals pursuant to the building code, as the same is amended from time to time by the State Board of Housing and Community Development.

2. Section 7-8, Property maintenance code board of appeals created; composition, of Article II, Building Code, Chapter 7, Building Regulations, of the Code of the City of Roanoke (1979), as amended, is hereby REPEALED.

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3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

N:\CAPS\ORDINANCES\o-amend and repeal bldg code.wpd

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Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Lease of Air Rights and Easement for
 Columns of Support Over Second
 Street, S.W. Request of Times-World
 Corporation

The Times-World Corporation, a subsidiary of Landmark Communications, Inc., (the Times) has been publishing newspapers from its present location downtown since 1914. A major expansion was completed in 1984. A new production facility will be constructed on property across Second Street.

A crosswalk above Second Street between Campbell Avenue and Salem Avenue between the existing building and the proposed expansion is needed to provide efficient access to the new production facility.

The Times has requested a lease of the air rights, together with an easement for the location of support columns (including the right to construct, maintain, repair, replace and remove) within the right of way of Second Street, S.W., for the structure to be constructed within the air rights hereby leased. See Attachment #1 for plat. The columns shall not obstruct pedestrian passage on the public sidewalk. The proposed lease will be for a term of sixty (60) years, which is the limit allowed by the Constitution of Virginia. The bid for license payment is recommended to be a one-time fee of not less than \$8,500.00. This value was established by applying fifty percent of the value per square foot of surrounding properties to the 1,312.5 s.f. footprint of the area to be leased.

The crosswalk will be one level, located within the defined airspace above Second Street, a minimum of eighteen feet above the street and extending upward therefrom for a distance of approximately twenty-four feet (see Attachments #2 and #3 for legal description of area).

Potential lease of air space and easement for columns of support for the crosswalk must be advertised and the successful bidder will be required to reimburse the City for the full cost of advertising. A public hearing is also required.

Staff recommends authorization of a lease of air rights and easement for this structure including a provision for removal of the structure should the use terminate, the structure is allowed to deteriorate unreasonably, or is damaged to the point that its owners do not wish to repair it. The successful bidder must obtain a performance bond naming the City as the obligee or insured party in the event lessee does not demolish or remove the structure as

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb: www.ci.roanoke.va.us

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Honorable Mayor and Members of Council
January 22, 2002
Page 2


required in the lease. The initial amount of the bond shall be \$250,000, and reviewed every five years and adjusted as necessary by mutual agreement of the parties. The successful bidder shall also be responsible for utilities, maintenance and lighting of the structure, and installation and maintenance of any and all lighting which may be required under the structure or on the structure in order to provide adequate lighting for that portion of the street which would pass under the structure.

Indemnification and general liability insurance, bodily injury, and property damage liability insurance coverage, with the City named as additional insured shall be provided by the successful bidder, as specified in Attachment #4.

Recommendation:

Following a public hearing and opening of bids, authorize the execution of a lease for a term of sixty (60) years for said air rights and easement for support columns to allow the construction of a crosswalk eighteen feet above Second Street, S.W. and extending upward therefrom for a distance of approximately twenty-four feet between Campbell and Salem Avenues, S.W., for a one time consideration of not less than \$8,500.00. The successful bidder shall prepare all appropriate legal documents in a form approved by the City Attorney, including provision for a performance bond to assure demolition of the structure if necessary, and authorizing the award of such lease and easement to the successful bidder. The City reserves the right to reject all bids.

Respectfully submitted,


Darlene L. Burcham
City Manager

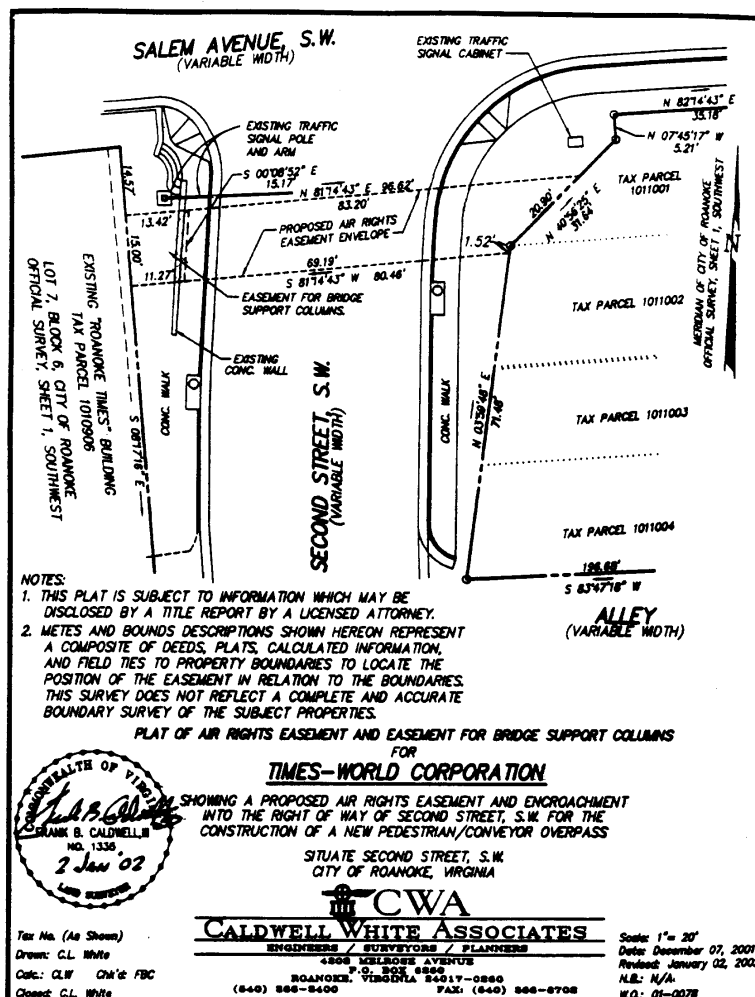
DLB/SEF/bls

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Sarah E. Fitton, Engineering Coordinator
Chip Harris, Roanoke Times

#CM01-00286

Attachment #1



Attachment #2



FRANK B. CALDWELL, III, P.E., L.S.

CORBIN L. WHITE, P.E.

Description of Proposed Air Rights Lease

Second Street, S.W.
City of Roanoke, Virginia

That portion of hereinafter described plane lying within the confines of the right of way of Second Street, S.W. as extended eighteen feet (18') from the surface thereof, the said plane being more particularly described as follows:

STARTING at the southwest corner of the intersection of Second Street, S.W. and Salem Avenue, S.W., said point being the northeastern corner of Lot 7, Block 6 of the City of Roanoke Official Survey, Sheet 1, Southwest; thence with the westerly right of way of Second Street, S.W., and with the property of The Times-World Corporation (City of Roanoke Tax Parcel 1010906) S 08°17'16" E, 14.57 feet to the **POINT OF BEGINNING**; thence leaving the Times-World Corporation Property and western right of way of Second Street, S.W. and crossing said right of way of Second Street, S.W. N81°14'43"E, 96.62 feet to a point, said point being on the easterly right of way of Second Street, S.W.; thence with the easterly right of way of Second Street, S.W. and the property of The Times-World Corporation (City of Roanoke Tax Parcel 1011001) S40°56'25" W, 20.90 feet to a point; thence continuing with the easterly right of way of Second Street, S.W. S 03°59'48"W, 1.52 feet to a point; thence leaving the eastern right of way of Second Street, S.W. and the Times-World Corporation property, and crossing said right of way of Second Street, S.W. S 81°14'43" W, 80.46 feet to a point, said point being on the westerly right of way of Second Street, S.W.; thence with the westerly right of way of Second Street, S.W. and with the property of The Times-World Corporation N08°17'16" W, 15.00 feet to the **POINT OF BEGINNING**, said air space right of way and easement being further described as that area contained between the horizontal planes defined by elevation 937.50 feet on the bottom, and elevation 961.50 feet on the top.

4203 MELROSE AVENUE, NW, P.O. BOX 6260, ROANOKE, VA 24017-0260 (540) 366-3400 FAX (540) 366-8702

Attachment #3



FRANK B. CALDWELL, III, P.E., L.S.

CORMIN L. WHITE, P.E.

Description of Easement for Bridge Support Columns
 Second Street, S.W.
 City of Roanoke, Virginia

This easement is to provide the necessary structural support members for the bridge within the right of way of Second Street, S.W.. Said area of easement being further described as:

STARTING at the southwest corner of the intersection of Second Street, S.W. and Salem Avenue, S.W., said point being the northeastern corner of Lot 7, Block 6 of the City of Roanoke Official Survey, Sheet 1, Southwest; thence with the westerly right of way of Second Street, S.W., and with the property of The Times-World Corporation (City of Roanoke Tax Parcel 1010906) S 08°17'16" E, 14.57 feet to the **POINT OF BEGINNING**; thence leaving the Times-World Corporation Property and western right of way of Second Street, S.W. and following the northerly limits of the above described air rights easement N 81°14'43"E, 13.42 feet to a point; thence leaving the northerly limits of the above described air rights easement S00°08'52" E, 15.17 feet to a point, said point lying on the southerly limits of the above described air-rights easement; thence following the southerly limits of the above described air rights easement, S 81°14'43" W, 11.27 feet to a point, said point being on the westerly right of way of Second Street, S.W.; thence with the westerly right of way of Second Street, S.W. and with the property of The Times-World Corporation N 08°17'16" W, 15.00 feet to the **POINT OF BEGINNING**.

4205 MELBORE AVENUE, NW, P.O. BOX 6260, ROANOKE, VA 24017-0260 (540) 366-3400 FAX (540) 366-8702



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ATTACHMENT #4

**INSURANCE REQUIREMENTS
FOR ENCROACHMENTS IN RIGHT-OF-WAY
COMMERCIAL**

Owner shall obtain liability insurance coverage with respect to claims arising out of the subject matter of this agreement. The amount of such insurance shall not be less than:

- A. General Aggregate \$2,000,000
- B. Products - Completed/Operations Aggregate \$2,000,000
- C. Personal and Advertising Injury \$2,000,000
- D. Each Occurrence \$2,000,000
- E. Above amounts may be met by umbrella form coverage in a minimum amount of \$2,000,000 aggregate; \$2,000,000 each occurrence.

Owner shall name the City, its officers, agents, employees, and volunteers as additional insured as its interests may appear on the above policy. Such coverage shall not be canceled or materially altered except after thirty (30) days prior written notice of such cancellation or material alteration to the Director of Utilities and Operations of the City of Roanoke.

Owner shall indemnify and save harmless the City of Roanoke, its officials, officers and employees, from all claims for injuries or damages to persons or property that may arise by reason of the encroachment over public right-of-way.

DKC

A.1(b)

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing a lease between the City of Roanoke and _____, for the lease of certain airspace over Second Street, S.W., to provide sufficient area and space for the construction of a crosswalk in connection with the expansion of the facilities of the Roanoke Times, and an easement for the location within the right-of-way of Second Street of support columns for the crosswalk to be constructed, for a term of sixty (60) years; and dispensing with the second reading of this ordinance.

WHEREAS, the City has, by advertisement published once a week for two consecutive weeks in a paper of general circulation published in the City, publicly invited bids for lease of certain air space over Second Street, S.W., and an easement for support columns in the City for a term of sixty (60) years;

WHEREAS, _____ bids for the lease of such air space and easement for support columns were received when bids were publicly opened at the Council meeting held on January 22, 2002; and

WHEREAS, the bid of _____ to lease such air space and easement for support columns for a term of sixty (60) years commencing on February 1, 2002, or as soon as all legal requirements have been met and ending on February 1, 2062, for a one-time rental payment in the total amount of \$ _____, and upon other terms and

conditions set out in the lease incorporated by reference in the bid, was publicly opened at the Council meeting on January 22, 2002; and

WHEREAS, at such Council meeting, a public hearing was held at which all persons were accorded a full and fair opportunity to comment with respect to the proposed lease of such air rights and easement for support columns; and

WHEREAS, Council found the bid of _____ was the highest and most responsive bid made to the City for such air space, and Council is desirous of accepting this bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The Bid of _____ to lease certain airspace over Second Street, S.W., and for an easement for support columns, in the City, such area being more particularly described in the Bid of _____, a copy of which is on file in the Office of the City Clerk, for a term of sixty (60) years, commencing on February 1, 2002, or as soon as all legal requirements have been met, and ending on February 1, 2062, for a one-time rental payment of \$_____, to be paid prior to April 1, 2002, and upon certain terms and conditions set out in the lease and incorporated by reference and the Bid of _____ is hereby ACCEPTED.

2. The City Manager is hereby authorized, for and on behalf of the City, to execute a written lease agreement between the City and _____ for such

airspace and easement for support columns, such lease to be in form approved by the City Attorney.

3. The City Clerk is directed to forward an attested copy of this ordinance to _____.

4. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

A-2



Roanoke City Department of Planning
 Building and Development
 500 West Main Street, Suite 100
 Roanoke, Virginia 24002
 (540) 983-1100
 Email: planning@cityofroanoke.com

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Timothy Sarver that an alleyway running in an easterly direction from 27th Street, N.W., for a distance of approximately 53 feet, more or less, and lying between parcels bearing Official Tax Nos. 2410401 and 2410414, be permanently vacated, discontinued and closed.

Planning Commission Action:

On December 20, 2001, the Planning Commission held a public hearing on the proposed request. By a vote of 6-0 (Messrs. Butler, Campbell, Chrisman, Dowe, Hill and Rife voting for the request and Mr. Manetta absent), the Commission recommended approval of the proposed closure. No one spoke in opposition to the proposed request.

Background:

The alley proposed for closure is a paper alley that has never been developed. It lies off of 27th Street, N.W. Johnson Avenue is on the northern end of the block. The petitioner owns the parcel to the south, and Norfolk Southern owns the property south of it, which includes the railroad tracks. The paper alley is only accessible from the northern end of 27th Street, as the former 2500 and 2600 Blocks of Baker Avenue have been vacated, and the paper alley is a dead end at its easternmost point.

The paper alley requested for closure is the remnant of an alley in Block 13, Runnymede Corporation, Inc. Subdivision, which was closed by Ordinance No. 4765,

dated April 3, 1936, and extended from the easternmost point of the paper alley to 25th Street, N.W.

The petitioner owns both parcels that adjoin the alley, and wishes to vacate it to allow for expansion of his business, Sarver Hydraulics. The alley and the petitioner's properties are located within the City's Enterprise Zone One.

Planning Commission public hearing was held on December 20, 2001. Mr. Richard Sarver, the petitioner, explained to the Commission that he wished to build a warehouse to expand his business and that the proposed building would encroach on the paper alley. Planning staff recommended approval of the request, advising that the paper alley was of no service to the City, and that the request contributes to the goals of the Comprehensive Plan.

Considerations:

All of the adjoining properties are zoned LM, Light Manufacturing. The uses of all of the adjoining properties, and most of those in the vicinity, are of a commercial/industrial nature.

American Electric Power has facilities located in the alley. Staff received comments from Verizon, who expressed no objection to the request.

Due to the closure of the former alley, the closure of the 2500 and 2600 Blocks of Baker Avenue, and the subsequent use of Official Tax No. 2410402, the paper alley is inaccessible from its easternmost point and from the southern end of 27th Street. Due in part to its current inaccessibility, closure of the paper alley will not have any discernible impact on traffic in the area.

The Comprehensive Plan recommends the following:

Industrial Development: Underutilized and vacant industrial sites will be evaluated and redevelopment encouraged. Local policies and incentives and state economic incentives will strengthen the businesses and industries in the enterprise zone and provide jobs.

City Council is authorized to sell this vacated portion of the right-of-way (alley), if it so chooses. Section 15.2-2008 of the Virginia Code (1950), as amended, authorizes a City to require an abutting property owner to purchase the vacated right-of-way as a condition of the vacation. Under such an arrangement, the price may be no greater than the property's fair market value or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties. Real Estate Valuation quoted the valuation range for this 524 square foot portion of alley at \$425 - \$525, based on a rate of \$.80 - \$1.00 per square foot.

Recommendation:

By a vote of 6-0, the Commission recommended approval of the petitioner's request, contingent upon the following items:

- A. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Said plat shall combine all properties which would otherwise dispose of the land within the right of way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.
- B. Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.
- C. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.
- D. If the above conditions have not been met within a period of one year from the date of adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

Respectfully submitted,



D. Kent Chrisman, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Roland Johnson, Assistant City Manager for Community Development
William M. Hackworth City Attorney
Steven J. Talevi, Assistant City Attorney
Petitioner

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:)	APPLICATION FOR VACATING,
)	DISCONTINUING AND
Application of Timothy Sarver)	CLOSING OF ALLEY
for vacation of Alley)	

MEMBERS OF COUNCIL:

Timothy Sarver applies to have the remaining portion of the alley in Block 13, Runnymede Corporation, Inc. Subdivision, in the City of Roanoke, Virginia, permanently vacated, discontinued and closed, pursuant to Virginia Code Section 15.2-2006 and Section 30-14, Code of the City Of Roanoke (1979), as amended. This alley is more particularly described on the plat attached and as follows:

BEGINNING at a point on the east side of 27TH Street, NW, said point being S. 0° 55' W. 132.50 feet from the southeast intersection of Johnson Avenue, NW and 27TH Street, NW; thence leaving 27TH Street and with the north side of a 10 feet wide alley S. 89° 05' E. 52.40 feet to a point at the easterly terminus of said alley; thence S. 0° 55' W. 10.00 feet to a point; thence with the south side of said alley N. 89° 05' W. 52.40 feet to a point on the east side of 27TH Street; thence with the same N. 0° 55' E. 10.00 feet to the point of BEGINNING, containing 524 square feet and being the remaining portion of the alley in Block 13, Runnymede Corp., Inc. Subdivision (City Engineer file #1680).

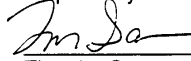
Timothy Sarver states that the grounds for this application are as follows:

- 1) The applicant is the owner of the two parcels of land adjacent to, and separated by the unimproved alley. The applicant desires to use the property to be vacated for the expansion of his business (Sarver Hydraulics).
- 2) The property to be vacated is unimproved and is the remaining part of the alley in

Block 13, Runnymede Corporation, Inc. Subdivision, the balance of said alley
having been previously vacated by ordinance no. 4765, dated April 3, 1936.

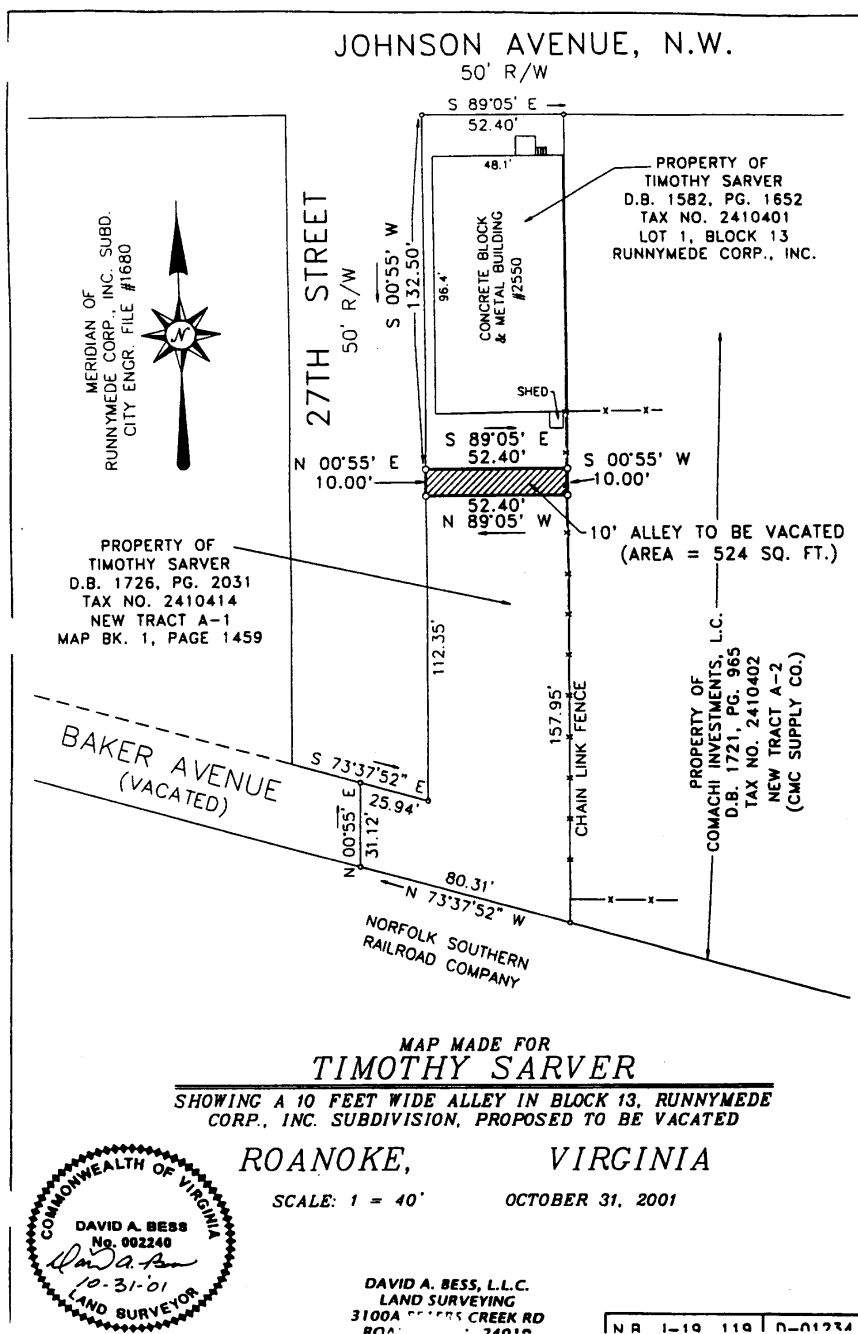
WHEREFORE, Timothy Sarver respectfully requests that the above-described alley
be vacated by the Council of the City of Roanoke, Virginia, in accordance with Virginia
Code Section 15.2-2006 and Section 30-14, Code of the City of Roanoke (1979), as
amended.

Respectfully submitted


Timothy Sarver

10/31/01
date

Timothy Sarver
P.O. Box 11781
Roanoke, VA 24022
ph. 344-0799



ADJACENT PROPERTY OWNERS

- 1) Timothy Sarver (tax nos. 2410401, 2410414)
P.O. Box 11781
Roanoke, VA 24022
- 2) Comachi Investments, L.C. (tax no. 2410402)
P.O. Box 12058
Roanoke, VA 24022 *c/o Mike Ballard*

SJT
11/26/02

A.2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance.

WHEREAS, Timothy Sarver, filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on January 22, 2002, after due and timely notice thereof as required by §30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

That certain alleyway running in an easterly direction from 27th Street, N.W., for a distance of approximately 53 feet, more or less, and lying between parcels bearing Official Tax Nos. 2410401 and 2410414

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FURTHER ORDAINED that if the above conditions have not been met within a period of six (6) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

BE IT FINALLY ORDAINED that pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable W. Alvin Hudson, Council Member
 Honorable William D. Bestpitch, Council Member
 Honorable William White, Sr., Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Public Hearing On Transportation
 Equity Act for the 21st Century
 (TEA-21) Enhancement Projects

Background:

The Transportation Equity Act for the 21st Century (TEA-21) was signed into federal law June 1998. This action reauthorized the federal surface transportation programs for six (6) years, from fiscal year 1998 to 2003, replacing the Intermodal Surface Transportation Efficiency Act (ISTEA). This law provides \$215 billion in spending authority for highways and transit, including \$3 billion for transportation enhancement projects.

TEA-21 requires state departments for transportation to set aside 10 percent of their Surface Transportation Program (STP) allocation each year for transportation enhancements. This includes activities such as facilities for pedestrians and bicyclists (such as greenways) and rehabilitation of historic transportation buildings. The Virginia Department of Transportation (VDOT) held a public meeting regarding the TEA-21 enhancement program in Salem on November 7, 2001, at which citizens and public officials were able to ask questions and learn more about this program.

Considerations:

Any group or individual may initiate enhancement projects; however, City Council and the Metropolitan Planning Organization must endorse the applications prior to submittal to VDOT by the applicant on or before January 31, 2002. Two (2) enhancement project applications have been received and are described in Attachment A (City of Roanoke) and Attachment B (Western Virginia Foundation for the Arts & Sciences). The Commonwealth Transportation Board approval of projects is expected to occur after June, 2002. Planning Commission received these requests on December 20, 2001, and has submitted a recommendation to City Council under separate cover.

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb www.ci.roanoke.va.us

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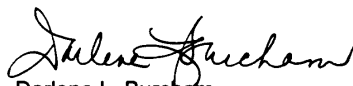
Honorable Mayor and Members of City Council
January 22, 2002
Page 2

City Council resolutions that would endorse these two (2) project applications also require, according to VDOT, that the City of Roanoke agree to be liable for a minimum of 20 percent of the total cost for planning and design, right-of-way and construction of the project, and that, if the City subsequently elects to cancel a project, the City agrees to reimburse VDOT for the total amount of the costs expended by VDOT through the date of cancellation of that project. The project funding summaries, including the proposed source of the local match, are described in Attachment C. An agreement to be executed between the City and a project applicant will require the applicant to be fully responsible for the matching funds as set forth in Attachment C and, if the project is canceled, the agreement will also require the applicant to reimburse the City for all amounts due VDOT.

Recommendation:

Endorse, by separate resolutions, the project applications which are summarized in Attachments A and B, and agree to pay the respective percentages of the total cost for each project (as described in Attachment C) and that, if the City elects to cancel the project, the City would reimburse VDOT for the total amount of costs associated with any work completed on either project through the date of cancellation notice. Also, authorize the City Manager to execute, on behalf of the City, City/State Agreements for project administration, subject to approval of project applications by VDOT, and authorize the City Manager to execute, on behalf of the City, a legally binding agreement with the Western Virginia Foundation for the Arts and Sciences (WVFAS), subject to its application being approved by VDOT, requiring the WVFAS to be fully responsible for its matching funds (as described in Attachment C) as well as all other obligations undertaken by the City by virtue of the City/State Agreement.

Respectfully submitted,


Darlene L. Burckham
City Manager

DLB/KHK/gpe

Attachments

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Kenneth H. King Jr., P.E., Manager of Streets & Traffic

#CM02-00010

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**Roanoke River Greenway
Applicant - City of Roanoke**

Objective:

The City of Roanoke is requesting Transportation Enhancement Funds in the amount of \$4.4 million for the completion of the Roanoke River Greenway project.

Overview:

The Roanoke River Greenway will be the "backbone" of the Roanoke Valley greenway network. This bicycle/pedestrian path will be the major west-east greenway and has always been the priority greenway project for valley residents. The greenway will run 23 miles from Green Hill Park in Roanoke County, through Salem, Roanoke City, and Vinton, to Explore Park.

Master plans for the 7-mile section from Green Hill Park through Salem and for the 11-mile section through Roanoke City have been completed. In 2000 and 2001 the Greenway Commission assisted Salem and Roanoke County in applying for Enhancement funds to begin construction. The project was awarded \$300,000 in 2000 and \$269,000 in 2001. This year, with the master plan completed for the section in Roanoke City, the Greenway Commission feels it is appropriate to file a joint, regional application with funds targeted toward construction in Roanoke City.

In Roanoke City the greenway is included in Phase I of the flood reduction project, from Wasena Park to the sewage treatment plant. Funding is committed on a 50/50 basis through the Army Corps of Engineers and City funds dedicated to the project. The greenway is not included in Phase II of the flood project at this time. Enhancement funds, if awarded, would help to finance construction of the greenway upstream from Wasena Park.

Grant Criteria Met:

As a regional project, the Roanoke River Greenway meets six of the twelve categories under which a project may qualify, including:

1. Bicycle and pedestrian facilities;
2. Bicycle and pedestrian safety and educational activities;
3. Scenic easements and scenic or historic sites;
4. Landscaping and other scenic beautification, historic preservation; and
5. Mitigation of pollution due to highway run-off and wildlife protection.

In addition the greenway scores well under most of the evaluation criteria, particularly relationship to surface transportation, inclusion in state/regional/local plans, community involvement and support, accessibility, public/private venture, environmental benefits, and impact on economy and tourism.

Cost:

This application includes regional costs for the greenway that are not currently financed by another means. The application requests \$4.4 million, to be matched by \$1.49 million in CIP funds, donations, and services. The first phase would be from Bridge Street to Wasena Park, at an estimated cost of \$1.18 million.

**Attachment B – Western Virginia
Foundation for the Arts and Sciences**

**Roanoke Passenger Station Renovation & O. Winston Link Museum
Applicant - Western Virginia Foundation for the Arts and Sciences**

Objective:

Western Virginia Foundation for the Arts and Sciences (WVFAS) is requesting Transportation Enhancement funds in the amount of \$1 million for the next phase of our Roanoke Passenger Station Renovation and O. Winston Link Museum Project.

Overview:

The WVFAS received \$488,000 from VDOT in the form of Transportation Enhancements funds for fiscal year 2001-2002. These funds are being used for the renovation of a portion of the interior of Roanoke's historic N&W Railway Passenger Station. This additional request continues this work by accomplishing the following:

- Stabilization and restoration of the building's exterior facades, including stabilization of the tile roof and concrete columns;
- Landscaping and gateway plantings;
- Lighting, parking facilities and signage;
- Installation of accessible features to comply with ADA requirements;
- Utility construction; and
- Other work exterior to and complementary to the historic structure.

Exterior site work and renovation are vital to returning the Station to its former grandeur as the gateway to Roanoke and the region. Officials from surrounding businesses, such as the Hotel Roanoke & Conference Center, have commented to WVFAS that they are pleased to learn of our plans to renovate the historic Station. The Station is currently one of Roanoke's most visible derelict structures. The parking lot in front of the Station has been donated to WVFAS by the City of Roanoke for this project. The lot is in disrepair and beyond its useful life. Plans for the parking area include the installation of decorative brick pavers, fountains, pedestrian seating, bike racks, and bus and RV parking. The preliminary designs include features that mimic the designs of steam rail stock.

The work included in the fiscal year 2001 - 2002 grant authorization and the items listed above will be completed in March 2003, if this next phase of Transportation Enhancements funding is approved. The renovation will be completed according to the National Park Service regulations for historic preservation, because we are utilizing historic tax credits as part of our total fundraising plan. Architectural and Engineering plans were completed using TEA-21 High Priority Funds.

Grant Criteria Met:

This Project relates to 7 of the 12 Transportation Enhancements Funding Categories:

1. Bicycle and Pedestrian Facilities;
2. Scenic Easements and Scenic or Historic Sites;
3. Scenic or Historic Highway Program;
4. Landscaping and Other Beautification;
5. Historic Preservation;

6. Rehabilitation and Operation of Historic Transportation Buildings, Structures or Facilities;
7. Establish Transportation Museums

Cost:

WVFAS is requesting funding through the Transportation Enhancements (TE) Program in the amount of \$1 million in federal funds, to be matched by \$250,000 in local matching funds for a total project cost of \$1,250,000. This will help fund the exterior renovation and site work for Roanoke's N&W Railway Passenger Station.

Attachment C

Project Funding Summary

Project Applicant	Federal TEA-21 Funds Requested	Non-federal total by Applicant (%) (20% Minimum)	Applicant's Proposed Source of Funds (Local Match)
City of Roanoke	\$ 4,408,350	\$ 1,493,150 (25%)	City of Roanoke Capital Improvement Program (CIP total of \$2,000,000 over the next ten years) & Other Local Contributions
Western Virginia Foundation for the Arts and Sciences (WVFAS)	\$ 1,000,000	\$ 250,000 (20%)	City of Roanoke Capital Improvement Program (CIP total of \$1,250,000 - \$625,000 in both FY 2003 and FY 2004) and Other Local Contributions

SST
4/10/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for the Roanoke River Greenway.

WHEREAS, in accordance with the Commonwealth Transportation Board's construction allocation procedures, it is necessary that a request by resolution be received from the local government in order that the Virginia Department of Transportation program an enhancement project in the City of Roanoke; and

WHEREAS, the Council of the City of Roanoke supports the construction of 18 miles of the Roanoke River Greenway, a bicycle/pedestrian path along the Roanoke River, with 7 miles in Salem and Roanoke County and 11 miles in the City of Roanoke.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby endorses and requests that the Commonwealth Transportation Board establish a project for the Roanoke River Greenway, said project being more particularly described in the City Manager's letter dated January 22, 2002, to City Council.
2. Pursuant to the Transportation Equity Act for the 21st Century, the City hereby agrees to pay a minimum of twenty percent (20%) of the total cost for planning and design, right-of-way acquisition, and construction of this project, and that if the City subsequently elects to cancel this project, the City hereby agrees to reimburse the Virginia Department of Transportation (the "Department") for the total amount of the costs expended by the

Department through the date the Department is notified of such cancellation, all of which is set forth in the City Manager's letter dated January 22, 2002, to City Council.

3. The City Manager and the City Clerk are hereby authorized on behalf of the City to execute and attest respectively, all necessary and appropriate agreements with the Department providing for the programming of such project, said agreements to be in such form as is approved by the City Attorney.

4. The City Clerk is directed to forward a copy of this resolution to the appropriate officials at the Commonwealth Transportation Board.

ATTEST:

City Clerk.

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SJT
1/6/02

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for Roanoke Passenger Station Renovation and O. Winston Link Museum.

WHEREAS, in accordance with the Commonwealth Transportation Board's construction allocation procedures, it is necessary that a request by resolution be received from the local government in order that the Virginia Department of Transportation program an enhancement project in the City of Roanoke;

WHEREAS, the Council of the City of Roanoke supports the Roanoke Passenger Station Renovation and O. Winston Link Museum.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby endorses and requests that the Commonwealth Transportation Board establish a project for Roanoke Passenger Station Renovation and O. Winston Link Museum., said project being more particularly described in the City Manager's letter dated January 22, 2002, to City Council.

2. Pursuant to the Transportation Equity Act for the 21st Century, the City hereby agrees to pay a minimum of twenty percent (20%) of the total cost for planning and design, right-of-way acquisition, and construction of this project, and that if the City subsequently elects to cancel this project, the City hereby agrees to reimburse the Virginia Department of

Transportation (the "Department") for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation, all of which is set forth in the City Manager's letter dated January 22, 2002, to City Council.

3. The City Manager and the City Clerk are hereby authorized on behalf of the City to execute and attest respectively, all necessary and appropriate agreements with the Department providing for the programming of such project, said agreements to be in such form as is approved by the City Attorney.

4. The City Clerk is directed to forward a copy of this resolution to the appropriate officials at the Commonwealth Transportation Board.

ATTEST:

City Clerk.

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A.4.



Office of the City Manager

January 22, 2002

The Honorable Ralph K. Smith, Mayor
 The Honorable William Carder, Vice Mayor
 The Honorable William Bestpitch, Council Member
 The Honorable Nelson Harris, Council Member
 The Honorable Alvin Hudson, Council Member
 The Honorable William White, Council Member
 The Honorable Linda Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Lease of Commonwealth Building

The General Services Administration (GSA) leases the second floor of the Commonwealth Building for use of the Federal Bankruptcy Court and affiliated offices. This lease will expire January 31, 2002. The GSA is interested in continuing the lease of this space. However, time constraints and requirements mandated by Federal guidelines make it impossible to execute a new lease by February 1, 2002. For this reason, the GSA requests that the City extend the current lease for one year.

Currently, the GSA leases 12, 413 square feet, including the entire second floor and one office on the first floor. The current lease rate is \$6.50 per square foot plus \$3.93 per square foot for operating costs, with annual rent totaling \$129,549.60. The renewal of this lease involves the same square footage and base rate per square foot, with the rate for operating cost increasing according to the Consumer Price Index for 1982 - 1984 = 100, as a condition of the current lease.

Recommendation:

Following the public hearing, authorize the City Manager to offer and execute an extension of the existing lease between the City of Roanoke and the GSA, permitting a one year term to allow appropriate time for the GSA and the City to negotiate terms and conditions for a new lease agreement. This one-year renewal period will begin February 1, 2002, and end January 31, 2003. At the end of this renewal, a new lease agreement between the City and GSA will be executed.

Respectfully submitted,


 Darlene L. Burcham
 City Manager

DLB:slm

c: Mary F. Parker, City Clerk
 James D. Grisso, Director of Finance
 William M. Hackworth, City Attorney
 David Collins, Assistant City Attorney
 Beth Neu, Director of Economic Development
 Dana Long, Chief of Billings and Collections
 Lynn Vernon, Manager, Facilities Management

CM02-00013

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
 CityWeb: www.ci.roanoke.va.us

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LEASE EXTENSION AGREEMENT

This Lease Extension Agreement is dated January ____, 2002, by and between the **CITY OF ROANOKE, VIRGINIA**, a municipal corporation organized under the laws of the Commonwealth of Virginia ("Lessor") and the **GENERAL SERVICES ADMINISTRATION OF THE UNITED STATES OF AMERICA** ("Lessee").

WHEREAS, the Lessor and Lessee entered into a Lease Agreement dated July 15, 1985, ("Lease Agreement") for the lease of the second floor and a portion of the first floor of the Commonwealth Building as referred to therein for a term of ten years with one five year extension upon expiration of the initial term of the Lease Agreement which was entered into by the parties and which shall expire at midnight on January 31, 2002; and

WHEREAS, both parties desire to enter into a new lease agreement, and seek to extend the terms of the existing Lease Agreement for a period of one year from the expiration of the renewal term, in order to facilitate negotiation of the terms of the new proposed lease agreement.

NOW, THEREFORE, in consideration of the mutual promises contained herein and in the original Lease Agreement, the Lessor and Lessee agree as follows:

SECTION 1: EXTENSION OF LEASE AGREEMENT

The Lessor and Lessee hereby acknowledge and agree that the existing Lease Agreement is further extended for a period of one year from February 1, 2002, through January 30, 2003, whereupon the said Lease Agreement will terminate and expire.

SECTION 2: RENT

The rent for the additional one year extension of the Lease Agreement set forth in Section 1 above shall be the same as the rent was for the year 2001, and as adjusted by the Consumer Price

Index formula for 1982 - 1984 = 100. The rent for 2001 was ONE HUNDRED TWENTY NINE THOUSAND, FIVE HUNDRED FORTY NINE AND 60/100 DOLLARS(\$129,549.60) paid in equal monthly installments of TEN THOUSAND, SEVEN HUNDRED NINETY FIVE AND 80/100 DOLLARS (\$10,795.80). Rent payments shall commence and be due and owing on February ____, 2002.

SECTION 3: CONTINUATION OF TERMS AND CONDITIONS

All additional terms and conditions of the Lease Agreement dated July 15, 1985, subject to any modifications by the parties, shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have signed this Lease Extension Agreement by their authorized representatives.

ATTEST:

CITY OF ROANOKE, VIRGINIA

Mary F. Parker, City Clerk

By _____
Darlene L. Burcham, City Manager

ATTEST:

**GENERAL SERVICES ADMINISTRATION,
UNITED STATES OF AMERICA,
REAL ESTATE DIVISION, LEASING BRANCH**

(title)_____

By _____
(title)_____

A.4.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the extension of an existing lease between the City of Roanoke and the General Services Administration of the United States of America for the lease of certain space in the Commonwealth Building, located at 210 Church Avenue, S.W., for a period of one year, authorizing the City Manager to execute the requisite lease extension agreement, and dispensing with the second reading of this ordinance.

WHEREAS, by Ordinance No. 27529, dated May 6, 1985, City Council authorized the appropriate City officials to enter into a lease agreement, dated July 15, 1985, between the United States of America, through the General Services Administration, for space in the Commonwealth Building; and

WHEREAS, the General Services Administration of the United States of America is interested in extending the current lease of this space, which expires January 31, 2002, for one year, upon the same terms as the current lease.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and City Clerk are hereby authorized to execute and attest, respectively, on behalf of the City, in form approved by the City Attorney, an lease extension agreement for lease of certain space of City-owned property, known as the Commonwealth Building, upon the same terms as the current lease, at \$6.50 per square foot plus \$3.93 per square foot for operating costs (increased annually based on consumer price index) with an

annual rent amount of \$129,549.50, as more particularly stated in the City Manager's letter to City Council dated January 22, 2002.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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A.5.

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P. O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-2940

JAMES D. GRISSO
Director of Finance

JESSE A. HALL
Deputy Director

January 22, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Subject: Authorization for Issuance of \$830,000 of Bonds for the Stadium/Amphitheater and reducing Civic Center Bond Issuance by \$830,000.

Dear Mayor Smith and Council Members:

City Council has authorized the issuance of \$56,245,000 of General Obligation Bonds to fund the five year Capital Improvement Program, including \$16,200,000 for the Stadium/Amphitheater and \$3,000,000 for improvements to the Civic Center. City Council was advised on November 5, 2001, that the City's bond attorney had issued an opinion that the bonds for the South Jefferson Redevelopment Area and the Civic Center met the Internal Revenue Service' private activity tests and would be issued as taxable bonds. The City recently received authority from the State of Virginia to issue \$12,000,000 of tax exempt Qualified Redevelopment Bonds (QRB's) to finance the South Jefferson project. As stated at the news conference Friday, December 28, 2001, this will save the City at least \$2,000,000 in interest payments over the life of the bonds.

In addition to applying for and receiving the QRB's, we have also been working to develop a strategy to finance the Civic Center improvements without having to issue taxable bonds. It is allowable, within Internal Revenue Service guidelines, to spend a given percentage of the total amount of the bonds on activities that would potentially benefit private enterprise. The allowable amount relative to the 2002 bond issue totals \$2,170,000, which could be applied to the Civic Center project. Thus we would have to issue only \$830,000 of taxable bonds to complete the \$3,000,000 of Civic Center Improvements.

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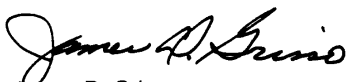
Honorable Mayor and Members
of City Council
January 22, 2002

In order to avoid issuing any taxable bonds, we propose the following solution. We have designated approximately \$1,800,000 in cash for the Stadium/Amphitheater project. The remainder of the project will be funded from \$16,200,000 of bonds to be included in the 2002 issue. Our recommendation is to increase the amount of bonds issued for the Stadium/Amphitheater project by \$830,000 and substitute a like amount of cash from this project to complete the funding needed for the Civic Center project. Internally, accounting wise, the Civic Center fund will still be responsible for \$3,000,000 of debt, as originally planned. This approach will allow us to achieve the total financing needed, without issuing any taxable bonds, thus saving the City at least another \$100,000 in interest costs over the life of the bonds.

We recommend adoption of the accompanying resolution authorizing issuance of an additional \$830,000 in general obligation bonds for the Stadium/Amphitheater and reducing the \$3,000,000 of bonds previously authorized for Civic Center improvements by \$830,000. The total bond issue will remain the same at \$56,245,000.

We would be pleased to answer any questions.

Respectfully submitted,



James D. Grisso
Director of Finance

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Deputy Finance Director
Don Gurney, Hawkins, Delafield and Wood

A.5.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION AUTHORIZING THE ISSUANCE OF EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$830,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATIONS OF THE CITY OF ROANOKE, VIRGINIA, IN THE FORM OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF SUCH CITY, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COSTS OF A PUBLIC IMPROVEMENT PROJECT OF AND FOR SUCH CITY, CONSISTING OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A STADIUM/ AMPHITHEATER; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS; PROVIDING FOR THE SALE OF SUCH BONDS; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT RELATING TO SUCH BONDS AND THE DISTRIBUTION THEREOF AND THE EXECUTION OF A CERTIFICATE RELATING TO SUCH OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE RELATING TO SUCH BONDS; AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; OTHERWISE PROVIDING WITH RESPECT TO THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS AND NOTES; AND AMENDING RESOLUTION NO. 35636-110501 TO PROVIDE FOR THE SALE OF THE BONDS AUTHORIZED FOR ISSUANCE HEREUNDER TOGETHER WITH BONDS AUTHORIZED FOR SALE PURSUANT TO SUCH RESOLUTION NO. 35636-110501

WHEREAS, in the judgment of the Council (the "Council") of the City of Roanoke, Virginia (the "City"), it is desirable to authorize the City to contract a debt and to authorize the issuance of \$830,000 principal amount of general obligations of the City, in the form of General Obligation Public Improvement Bonds of the City, for the purpose of providing funds to pay a portion of the costs of a public improvement project of and for the City, consisting of the acquisition, construction and equipping a Stadium/Amphitheater and to authorize the issuance of a like principal amount of General Obligation Public Improvement Bond Anticipation Notes in anticipation of the issuance of such Bonds; and

WHEREAS, the Council desires to amend Resolution No. 35636-110501 adopted by the Council on November 5, 2001 to authorize the sale of the Bonds authorized for issuance hereunder together with Bonds authorized for sale pursuant to such Resolution No. 35636- 110501;

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NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA:

SECTION 1. (a) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), for the purpose of providing funds to pay a portion of the costs of a public improvement project of and for the City, consisting of the acquisition, construction and equipping of a Stadium/Amphitheater, the City is authorized to contract a debt and to issue Eight Hundred Thirty Thousand Dollars (\$830,000) principal amount of general obligation bonds of the City to be designated and known as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds" (referred to herein as the "Bonds").

(b) The Bonds shall be issued and sold in their entirety at one time, or from time to time in part in series, as shall be determined by the Director of Finance. There shall be added to the designation of the Bonds a series designation determined by the Director of Finance. The Bonds shall be issued in fully registered form in the denomination of \$5,000 each or any integral multiple thereof. The Bonds of a given series shall be numbered from No. R-1 upwards in order of issuance. The Bonds shall bear interest from their date payable on such date and semiannually thereafter as shall be approved by subsequent resolution of this Council. The Bonds of each series shall be issued in such aggregate principal amounts (not exceeding the aggregate principal amount specified in Section 1(a)); and shall mature on such dates and in such years (but in no event exceeding forty (40) years from their date or dates), and in the principal amount in each such year, as shall be approved by subsequent resolution of this Council. Interest on the Bonds shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.

(c) The Bonds (or portions thereof in installments of \$5,000) shall be subject to redemption at the option of the City prior to their stated maturities, in whole or in part from time to time on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds or portions thereof in installments of \$5,000 of such maturity to be redeemed shall be selected by lot), upon payment of such redemption prices (expressed as a percentage of the principal amount of the Bonds to be redeemed), together with the interest accrued thereon to the date fixed for the redemption thereof, as shall be approved by subsequent resolution of this Council.

(d) (i) If any Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of such Bond is to be redeemed, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount thereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid to the registered owner thereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of any Bond shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued

interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest thereon shall cease to accrue from and after the date so specified for the redemption thereof.

(ii) So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee. The City shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

SECTION 2. The full faith and credit of the City shall be and is irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Council is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the City are not lawfully available and appropriated for such purpose.

SECTION 3. (a) The Bonds shall be executed, for and on behalf of the City, by the manual or facsimile signatures of the Mayor and City Treasurer and shall have a facsimile of the corporate seal of the City imprinted thereon, attested by the manual or facsimile signature of the City Clerk.

(b) The Director of Finance is hereby authorized to appoint a Registrar and Paying Agent for the Bonds.

(c) The Director of Finance shall direct the Registrar to authenticate the Bonds and no Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on each Bond shall have been manually executed by an authorized signatory of the Registrar. Upon the authentication of any Bonds the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if a Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the series of Bonds of which such Bond is one; (ii) if a Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date; (iii) if a Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date; and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated. In the event the Bonds of any series shall be dated as of a date other than the first day of a calendar month or the dates on which interest is payable on such series are other than the first days of calendar months, the provisions of this Section 3(c) with regard to the authentication of such Bonds and of Section 8 with regard to the form of such Bonds shall be modified as the Director of Finance shall determine to be necessary or appropriate.

(d) The execution and authentication of the Bonds in the manner set forth above is adopted as a due and sufficient authentication of the Bonds.

SECTION 4. (a) The principal of and premium, if any, on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 4.

(b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar for such series shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for such purpose the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.

(c) The books of registry shall at all times be open for inspection by the City or any duly authorized officer thereof.

(d) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.

(e) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or by his duly authorized attorney, in form satisfactory to the Registrar.

(f) All transfers or exchanges pursuant to this Section 4 shall be made without expense to the registered owners of such Bonds, except as otherwise herein provided, and except that the Registrar for such series of Bonds shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 4 shall be cancelled.

(g) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds, and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Principal, premium, if any, and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursement to the beneficial owners of the Bonds. Transfers of principal, premium, if any, and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The City will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owner of the Bonds.

SECTION 5. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the City or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the City, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its bid. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by the City; *provided, however*, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of the successful bidder for the Bonds.

(b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the City Clerk, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.

SECTION 6. In the case of Bonds issued hereunder the interest on which is contemplated to be excluded from gross income for purposes of federal income taxation, the City covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 7. (a) The Bonds shall be sold at competitive sale, together with Bonds authorized for sale pursuant to Resolution No. 35636-110501, as amended by Section 11 of this Resolution, on such date or dates and at such price or prices as shall be determined by the Director of Finance. The Director of Finance is hereby authorized to prepare or cause to be prepared a Summary Notice of Sale of the Bonds and to cause such Summary Notice of Sale to be published in *The Bond Buyer*, a financial journal published in the City of New York, New York, and to prepare

or cause to be prepared and distributed a Preliminary Official Statement, a Detailed Notice of Sale and an Official Bid Form relating to the Bonds. In preparing the Detailed Notice of Sale relating to the Bonds, the Director of Finance is hereby authorized to provide that bids for the purchase of the Bonds may be received by electronic bidding. The City Manager and the Director of Finance (i) are hereby authorized to determine the dated date of the Bonds of each series, the dates the Bonds of each series shall mature, the dates on which interest on the Bonds shall be payable, the aggregate principal amount of the Bonds of each series and the principal amount of the Bonds of each series maturing in each year; and (ii) are hereby further authorized to receive bids for the purchase of the Bonds of each series and, without further action of this Council, to accept the bids offering to purchase the Bonds of each series at the lowest true interest cost to the City; *provided, however*, in no event shall the true interest cost with respect to the Bonds of any series exceed eight percent (8.00%). The City Manager and the Director of Finance are further authorized to fix the rates of interest to be borne by the Bonds of each maturity of each series as specified in the bid accepted by them in accordance with the immediately preceding sentence. The City Manager and the Director of Finance are hereby authorized to determine the provisions relating to the redemption of the Bonds set forth in Section 1 hereof upon the advice of the City's financial advisor; *provided, however*, in no event shall any redemption premium payable by the City exceed three percent (3.00%).

(b) The Mayor is hereby authorized and directed to execute and deliver to the purchasers of the Bonds an Official Statement of the City relating to the Bonds, in substantially the form of the Preliminary Official Statement relating to the Bonds, after the same has been completed by the insertion of the maturities, interest rates and other details of the Bonds and by making such other insertions, changes or corrections as the Mayor, based on the advice of the City's financial advisors and legal counsel (including the City Attorney and Bond Counsel), deems necessary or appropriate; and this Council hereby authorizes the Official Statement and the information contained therein to be used by the purchasers in connection with the sale of the Bonds. The Preliminary Official Statement is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 ("Rule 15c2-12"). The City Manager and the Director of Finance are hereby authorized and directed to execute on behalf of the City and deliver to the purchasers a certificate in substantially the form to be included in the Official Statement under the caption "Certificate Concerning Official Statement".

(c) The City Manager and the Director of Finance are hereby authorized to execute and deliver to the purchasers of the Bonds a Continuing Disclosure Certificate relating to the Bonds evidencing the City's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of Rule 15c2-12 in such form as shall be approved by the City Manager and the Director of Finance upon advice of counsel (including the City Attorney and Bond Counsel), such approval to be conclusively evidenced by their execution thereof.

(d) All actions and proceedings heretofore taken by this Council, the City Manager, the Director of Finance and the other officers, employees, agents and attorneys of and for the City in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

SECTION 8. The Bonds, the certificate of authentication of the Registrar, and the assignment endorsed on the Bonds, shall be substantially the following forms, respectively, to-wit:

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UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF ROANOKE
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND
SERIES _____

No. R-__ \$ _____

MATURITY DATE: INTEREST RATE: DATE OF BOND: CUSIP NO.:

REGISTERED OWNER:

PRINCIPAL SUM: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that the City of Roanoke, in the Commonwealth of Virginia (the "City"), for value received, acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above) (unless this Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of the redemption price duly made or provided for), the Principal Sum (specified above), and to pay interest on such Principal Sum on _____ and semiannually on each _____ and _____ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by check mailed by the Paying Agent hereinafter mentioned to the Registered Owner in whose name this Bond is registered upon the books of registry, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date. Interest on this Bond shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of and premium, if any, on this Bond are payable on presentation and surrender hereof, at the office of _____, as the Registrar and Paying Agent, in the City of _____. Principal of and premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which, on the respective dates of payment thereof, shall be legal tender for public and private debts.

This Bond is one of a series of Bonds of like date, denomination and tenor except as to number, interest rate and maturity, and is issued for the purpose of providing funds to pay a

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portion of the costs of a public improvement project of and for the City, under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), and resolutions and other proceedings of the Council of the City duly adopted and taken under the Public Finance Act of 1991.

The Bonds of the series of which this Bond is one (or portions thereof in installments of \$5,000) maturing on and after _____ are subject to redemption at the option of the City prior to their stated maturities, on or after _____ in whole or in part from time to time on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds or portions thereof in installments of \$5,000 of such maturity to be redeemed shall be selected by lot), upon payment of the following redemption prices (expressed as a percentage of the principal amount of the Bonds to be redeemed), together with the interest accrued thereon to the date fixed for the redemption thereof:

<u>Redemption Dates</u> <u>(Both Dates Inclusive)</u>	<u>Redemption Prices</u> <u>(Percentages of Principal Amount)</u>
_____, ____ to _____, ____	%
_____, ____ to _____, ____	
_____, ____ and thereafter	

[The Bonds of the series of which this Bond is one maturing on _____, _____ are subject to mandatory sinking fund redemption on _____, _____ and on each _____ thereafter and to payment at maturity on _____, _____ in the principal amounts in each year set forth below, in the case of redemption with the particular Bond or Bonds or portions thereof to be redeemed to be selected by lot, upon payment of the principal amount of the Bonds to be redeemed, together with the interest accrued on the principal amount to be redeemed to the date fixed for the redemption thereof:

<u>Year</u>	<u>Principal Amount</u>
()	

The City, as its option, may credit against such mandatory sinking fund redemption requirement the principal amount of any Bonds maturing on _____, _____ which have been purchased and cancelled by the City or which have been redeemed and not theretofore applied as a credit against such mandatory sinking fund redemption requirement.]

If this Bond is redeemable and this Bond (or any portion of the principal amount hereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof,

specifying the date, number and maturity of this Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of this Bond (or the portion of the principal amount hereof to be redeemed) shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, this Bond may be exchanged at the office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the same series, interest rate and maturity. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, on the books of registry kept by the Registrar for such purpose at the office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount, series, interest rate and maturity as the Bond surrendered, will be issued to the transferee in exchange herefor.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by the Registrar.

The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Council of the City is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay the principal of and premium, if any, and interest on this Bond to the extent other funds of the City are not lawfully available and appropriated for such purpose.

It is certified, recited and declared that all acts, conditions and things required to exist, happen or be performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the City does not exceed any limitation of indebtedness prescribed by the Constitution or statutes of the Commonwealth of Virginia or the Charter of the City.

IN WITNESS WHEREOF, the City has caused this Bond to be executed by the manual or facsimile signatures of its Mayor and its City Treasurer; a facsimile of the corporate seal of the City to be imprinted hereon attested by the manual or facsimile signature of its City Clerk; and this Bond to be dated as of the _____ day of _____, 200_.

CITY OF ROANOKE, VIRGINIA

[SEAL]

Attest:

Mayor

City Clerk

City Treasurer

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

[_____] , as Registrar

By: _____

Authorized Signatory

Date of Authentication: _____

ASSIGNMENT

FOR VALUED RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code of Transferee)

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF TRANSFEREE

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer such Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company.

(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

SECTION 9. General obligation public improvement bond anticipation notes (the "Notes") are authorized for issuance and sale by the Director of Finance in anticipation of the issuance of the general obligation bonds authorized for issuance herein. Such Notes shall be sold at competitive or negotiated sale at such price or prices and on such other terms and conditions as shall be determined by the Director of Finance. If such Notes are offered for competitive sale, a Detailed Notice of Sale or Summary Notice of Sale shall be prepared, published and distributed in accordance with the requirements of Section 7. There shall also be prepared and distributed a Preliminary Official Statement and a final Official Statement relating to such Notes in such form as shall be approved by the Director of Finance. The issuance and details of such Notes shall be governed by the provisions of Section 15.2-2628 of Title 15.2, Chapter 26, Article 2 of the Code of Virginia, 1950. The provisions of Sections 2 and 6 shall apply to such Notes to the same extent the same apply to the Bonds except, in the case of the provisions of Section 2, only to the extent such Notes are not paid from the proceeds of the Bonds or from any other available funds. The sale of such Notes and the form and other details thereof shall be approved, ratified and confirmed by subsequent resolution of this Council. Bonds in anticipation of which such Notes are issued pursuant to this Section 9 may be issued and sold in accordance with the provisions of this Resolution at any time within five (5) years of the date of issuance of the first Notes issued in anticipation of such Bonds.

SECTION 10. The Council hereby authorizes the City to make expenditures for the purpose for which the Bonds are to be issued in advance of the issuance and receipt of the proceeds of the Bonds and to reimburse such expenditures from the proceeds of the Bonds. The adoption of this Resolution shall be considered an "official intent" within the meaning of Treasury Regulation Section 1.150-2 promulgated under the Internal Revenue Code of 1986.

SECTION 11. Resolution No. 35636-110501 adopted by the Council on November 5, 2001 is hereby amended to provide for the sale of the Bonds authorized for issuance hereunder together with Bonds authorized for sale pursuant to Resolution No. 35636-110501 (*provided that*

the principal amount of Bonds authorized for issuance pursuant to Resolution No. 35373-060401 and authorized for sale pursuant to Resolution No. 35636-110501 for Civic Center Capital Improvements shall be reduced from \$3,000,000 to \$2,170,000) such that the Bonds authorized for sale under Resolution No. 35636-110501 and this Resolution shall be issued and sold for the purposes and in the amounts set forth below:

<u>Purpose</u>	<u>Amount</u>
Schools (Roanoke Academy for Math and Science)	\$ 4,600,000
Roanoke River Flood Reduction Project	7,500,000
Stadium/Amphitheater	17,030,000
Crystal Spring Water Filtration Plant	5,445,000
Parking Garage and Related Facilities (Shenandoah Parking Garage)	2,500,000
Curb, Gutter and Sidewalk Improvements	5,000,000
Civic Center Capital Improvements	2,170,000
South Jefferson Redevelopment Area Project	<u>12,000,000</u>
Total	\$56,245,000

SECTION 12. The City Clerk is hereby directed to file a copy of this Resolution, certified by such City Clerk to be a true copy hereof, with the Circuit Court of the City of Roanoke, Virginia, all in accordance with Section 15.2-2607 of the Code of Virginia, 1950.

SECTION 13. All ordinances, resolutions and proceedings in conflict herewith are, to the extent of such conflict, repealed.

ATTEST:

City Clerk.

A. 6



Office of the City Manager

January 22, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Subject: Roanoke River Flood Reduction Project –
 Subdivision and Conveyance of Property
 Rights

Dear Mayor Smith and Members of City Council:

The Roanoke River Flood Reduction Project was proposed by the Corps of Engineers in 1984, and approved by a voter referendum on April 11, 1989. As part of the Local Cooperation Agreement between the City and the Corps for design and construction, the City is required to acquire all necessary property rights.

Negotiations with three property owners on Piedmont Street have led to a proposal to subdivide two City-owned parcels identified by Tax Nos. 4030602 & 4030604, so that portions may be conveyed to each of the adjoining property owners as part of the consideration for the property that we are acquiring. The remaining lot residuals have no real value to the City but enhance the adjoining owners' properties. See Attachments #1 and #2 for plats.

Recommended Action(s):

Following a public hearing, authorize the City Manager to execute the subdivision plat and appropriate documents to convey the subject property to the adjoining property owners, as part of the consideration for property to be acquired from three property owners as part of the Flood Reduction Project, on documents to be approved as to form by the City Attorney.

Respectfully submitted,

Darlene L. Burcham
 Darlene L. Burcham
 City Manager

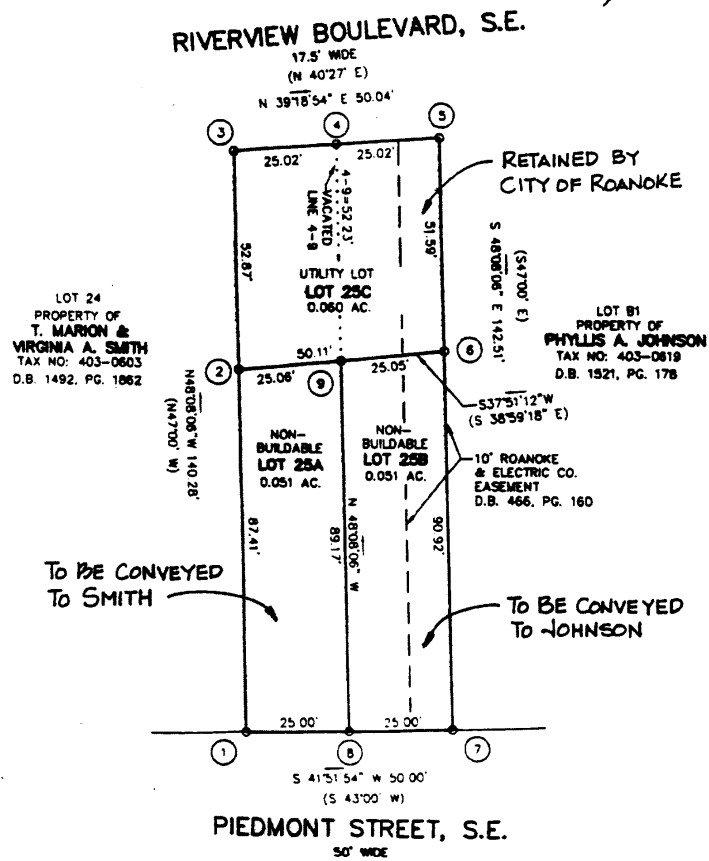
DLB/SEF

Attachments

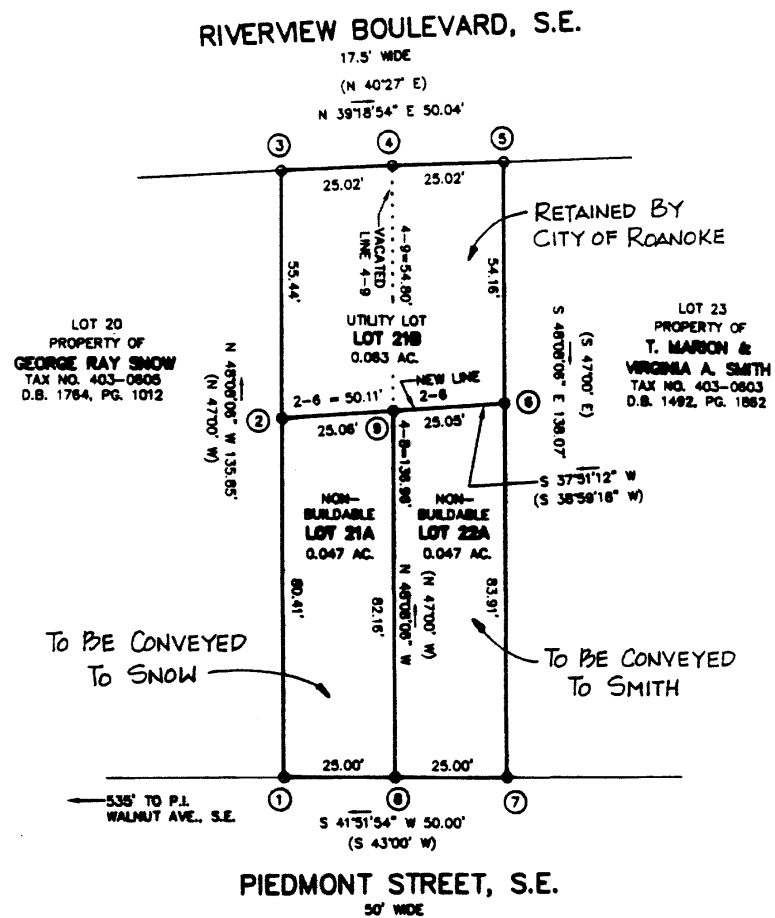
c: William M. Hackworth, City Attorney
 Mary F. Parker, City Clerk
 James D. Grisso, Director of Finance
 Sarah E. Fitton, Engineering Coordinator

#CM01-00290

ATTACHMENT #1



ATTACHMENT #2



1) KC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing the execution of a subdivision plat and the conveyance of City-owned property in connection with the acquisition of property for the Roanoke River Flood Reduction Project, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized to execute the necessary documents, upon form approved by the City Attorney, subdividing City-owned property identified by Tax Map Nos. 4030602 and 4030604 and thereafter conveying such property to the adjacent property owners as part of the consideration for property to be acquired in connection with the Roanoke River Flood Reduction project, and as further described in the City Manager's letter to Council dated January 22, 2002.
2. The above conveyance shall be conditioned upon the parcels being combined with the adjacent property owners' lots and a new plat doing so being placed to record.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



B.1(a)

DONNA HOPKINS BRITT, Pastor

608 CAMPBELL AVENUE, S.W.
ROANOKE, VIRGINIA 24016
(540) 344-9237 • FAX (540) 982-1389
www.calvaryroanoke.org

January 11, 2002

Mayor Ralph K. Smith and Members of City Council
City of Roanoke
215 Church Avenue, Room 452
Roanoke, Virginia 24011-1594

Honorable Mayor and Members of City Council,

Calvary Baptist Church requests that the Roanoke City Council consider our appeal of a decision made by the Architectural Review Board at its meeting of December 13, 2001. The Architectural Review Board denied an Application for Certificate of Appropriateness to demolish two vacant buildings located at 503 Sixth Street, S.W. and replace them with a much-needed church parking lot.

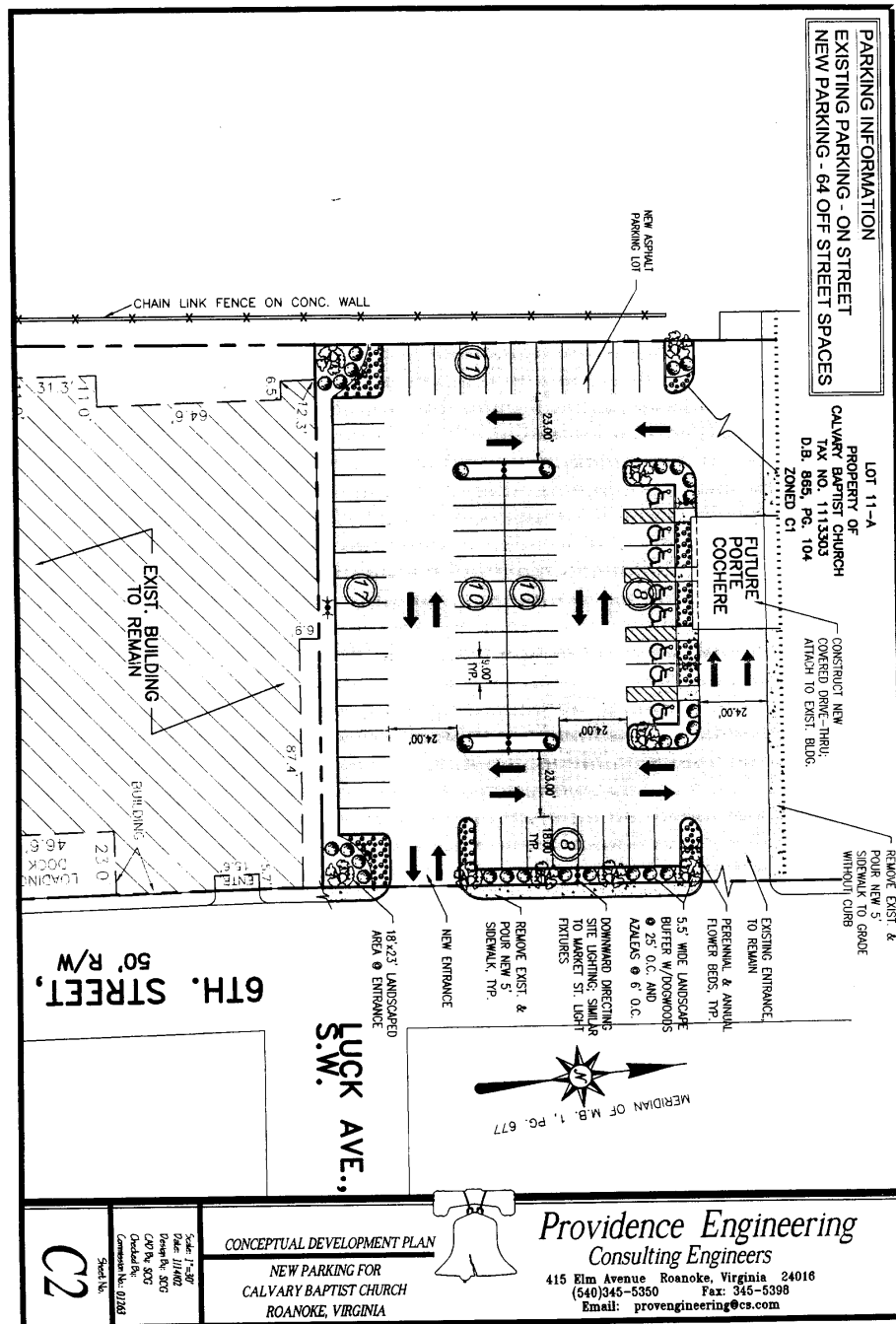
The church recently submitted a Petition for Appeal, on the grounds that we desire to remain in the City of Roanoke at Sixth Street and Campbell Avenue, S.W. The church may be unable to remain in this neighborhood without appropriate parking for visitors, and those who are elderly or handicapped. Parking has become a critical need for our church.

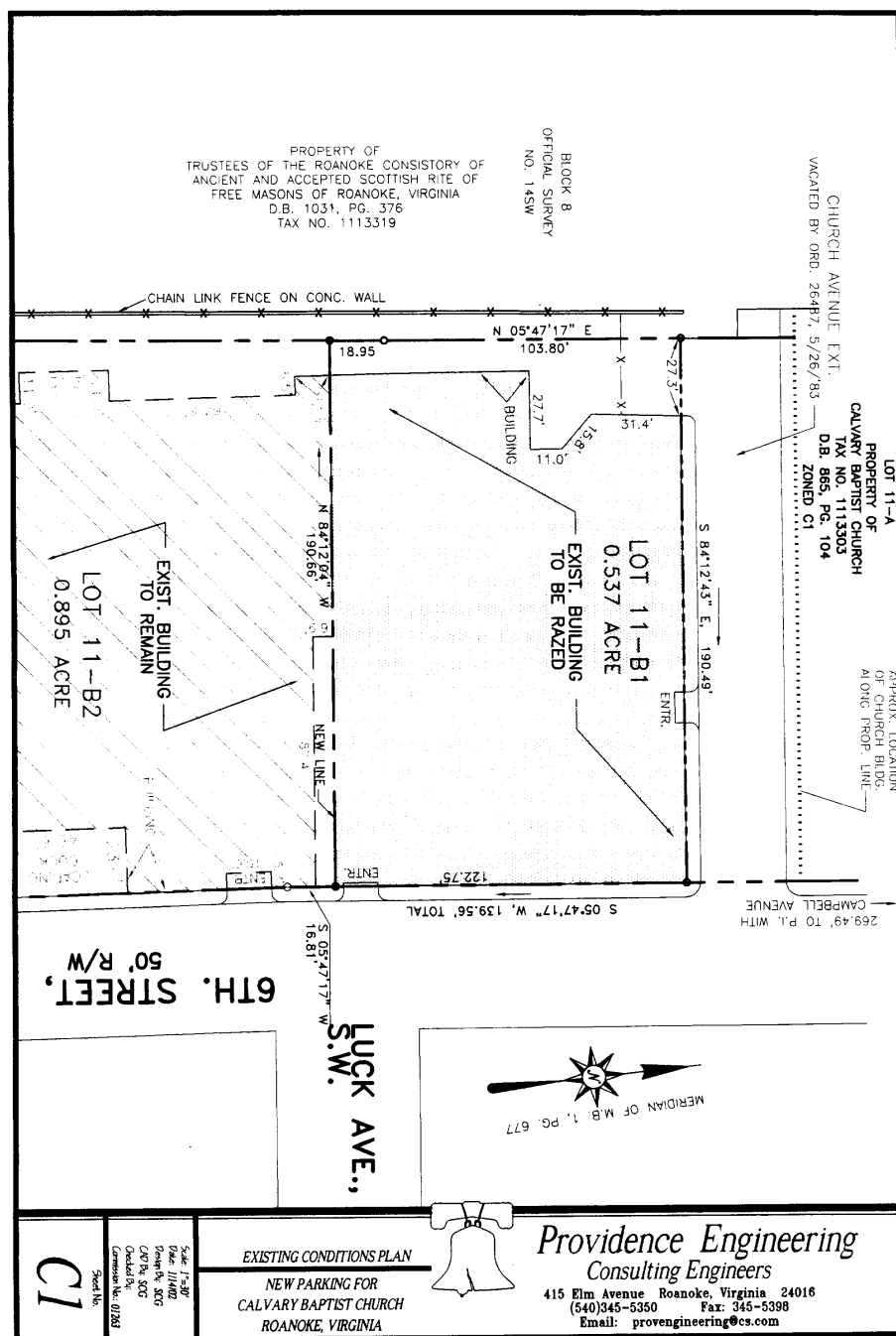
Attached, you will find a site plan which designates the parking layout, landscaping, and lighting for our proposed parking lot. Your consideration and approval of this request is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Donna Hopkins Britt".

Donna Hopkins Britt
Pastor





VIRGINIA:

IN THE COUNCIL OF THE CITY OF ROANOKE

IN THE MATTER OF)
 Application for Certificate of)
 Appropriateness No. 01-016) PETITION FOR APPEAL
 Calvary Baptist Church)
Official Tax Nos. 1113304 & 1113318)

This is a Petition for Appeal from a decision of the Architectural Review Board under Section 36.1-642(d) of the Zoning Ordinance of the Code of the City of Roanoke (1979), as amended.

1. Name of the Petitioner(s): Calvary Baptist Church
2. Doing business as (if applicable): N/A
3. Street address of property which is the subject of this appeal: 503 6th Street, S.W. Official Tax Nos. 1113304 & 1113318
4. Overlay zoning (H-1, Historic District or H-2, Neighborhood Preservation District) of property or properties which is the subject of this appeal: H-2, Neighborhood Preservation District
5. Date the hearing before the Architectural Review Board was held at which the decision being appealed was made: December 13, 2001
6. Section of the Code of the City of Roanoke under which the Certificate of Appropriateness was requested from the Architectural Review Board (Section 36.1-327, if H-1, or Section 36.1-345, if H-2): H-2 Section 36.1-345
7. Description of the request for which the Certificate of Appropriateness was sought from the Architectural Review Board: Demolition of Structures at 503 6th Street, S.W. Official Tax Nos. 1113304 & 1113318 for an asphalt church parking lot.
8. Grounds for appeal: Calvary Baptist Church has been in the neighborhood for One Hundred and Ten (110) years. We do not desire to relocate outside the City of Roanoke due to the lack of parking for handicapped and frail church members who cannot walk any distance. Also, lack of parking hampers future church growth.

9. Name, title, address and telephone number of person(s) who will represent the Petitioner(s) before City Council:

Reverend Donna Hopkins Britt, Pastor, Calvary Baptist Church,
608 Campbell Ave., SW, Roanoke VA 24016, 540/344-9237

WHEREFORE, your Petitioner(s) requests that the action of the Architectural Review Board be reversed or modified and that a Certificate of Appropriateness be granted.

Signature of Owner(s)
(If not Petitioner(s)):

Signature of Petitioner(s)
or, where applicable,
representative(s):

Donna Hopkins Britt

Name: _____
(Print or Type)

Name: Donna Hopkins Britt
(Print or Type)

Name: _____
(Print or Type)

Name: _____
(Print or Type)

TO BE COMPLETED BY CITY CLERK:

Received by: *Mary J. Parker*

Date: *Jan. 10, 2002*



Roanoke City Department of Planning
 Building and Development
 Room 100 Municipal Building
 200 North Main Street
 Roanoke, Virginia 24002
 540.343.1100
 Email: planning@cityofroanoke.com

B.2.

January 22, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Calvary Baptist Appeal of Architectural Review
 Board Decision

Background:

Calvary Baptist Church filed an application (Attachment A) for a Certificate of Appropriateness on October 25, 2001, to demolish two adjacent structures at 503 Sixth Street, S.W., and construct a 54-space parking lot for use by church members and staff. Calvary Baptist Church has stated that it is the contract purchaser of the buildings.

One building, known as the "Dye Plant," was built circa 1930 and was associated with the operations of the Cotton Mill. A second building proposed for demolition is known as the "Antrim Motors" building (circa 1920) and once housed an auto sales business. Both buildings front on Sixth Street and are physically attached to the Cotton Mill building. The Antrim Motors building has a unique facade that features raised brick and diamond-patterned tile accents. The facade has three large bays and six, second-story windows that have been bricked in. The building also has a unique arched roof that is reflected in the facade. The original building extends about 100' deep into the lot. This building is structurally sound. The Dye Plant building is brick and the facade is plain except for large, glass block windows. The church indicates that the structural condition of the building is poor because chemicals and moisture from the dyeing process have deteriorated the beams. A brick addition was put on the rear of the Antrim Motors building. The addition wraps around the rear of the Dye Plant building.

As part of its application, Calvary Baptist Church submitted a plan prepared by Providence Engineering that showed 47 standard parking spaces and 7 handicap parking spaces. The plan also showed that a covered drop-off would be attached to the rear of the church and would extend over the private street.

The Architectural Review Board (ARB) heard the request at its November 8, 2001, meeting (See minutes: Attachment B). Approximately thirteen people spoke in favor of the request. Staff recommended denial because the request did not meet City Code criteria for demolition. After discussion by the ARB, Calvary Baptist Church asked that the matter be tabled to allow further discussion of alternatives. The ARB voted to table the item until the December 13, 2001, meeting. Following the November 8, 2001, meeting, ARB members and City staff met informally with church representatives to discuss alternatives. Planning staff prepared a site plan that would provide 54 parking spaces and would preserve the original portion of the Antrim Motors building (Attachment C). Calvary Baptist Church presented its request without change at the next ARB meeting on December 13, 2001. Specifically, there were no alternatives other than demolition presented by the church. A motion for approval failed by a 1-4 vote (See minutes: Attachment D). The ARB was unable to make the finding that the request met the criteria for demolition as required by Section 36.1-348 of the Code of the City of Roanoke (1979), as amended.

The ARB Secretary notified Calvary Baptist Church of the decision and its right to appeal the decision to City Council (Attachment E). Calvary Baptist filed an appeal to City Council on January 10, 2002 (Attachment F).

Considerations:

The City Code has specific requirements for permitting demolition in an H-2, Neighborhood Preservation District:

36.1-348. Demolition.

The board shall issue a certificate of appropriateness for demolition of a building, structure, or historic landmark within the district where it finds that:

- (a) Loss of the structure would not be adverse to the district or the public interest by virtue of its uniqueness or its significance to the district.
- (b) Demolition would not have an adverse effect on the character and surrounding environment of the district.
- (c) Where demolition is in conjunction with a proposed new use of the site, such use satisfies the intent and standards of the H-2 district.

The ARB must make the above findings to allow a demolition. Discussion by the ARB indicated that the majority of members felt that the loss of the structures would have an adverse impact on the character of the historic district. Discussion also indicated that the major concern was the loss of the Antrim Motors building, which is clearly the more architecturally significant of the two buildings. Several board members expressed disappointment that Calvary Baptist Church failed to pursue any alternatives other than the original request.

A conceptual plan for the parking lot drawn by Providence Engineering dated October 31, 2001, was submitted with the application. Please note that more detail on the design of the parking area, including lighting and the design of the covered drop-off is needed. Detailed plans for the parking area are subject to ARB approval prior to issuance of any permits.

The Architectural Review Guidelines specifically recommend against demolition of adjacent structures for parking lots. The guidelines also recommend preservation rather than demolition and thorough evaluation of rehabilitation and use alternatives.

In addition to the right to appeal the Architectural Review Board's decision to City Council, the property owner may pursue an offer to sell option as provided for in Sections 36.1-331 and 36.1-349 of the City Code. These provisions allow the owner to make a bona fide offer to sell the property for a certain period of time before demolishing the structures on the property without a Certificate of Appropriateness. For example, if the offering price is ninety thousand dollars (\$90,000) or more, the property must be offered for sale for at least twelve (12) months. In any event, if the property is not sold within the specified time, the owner may proceed with demolition.

Council Alternatives:

Affirm the ARB's decision to deny the issuance of a Certificate of Appropriateness to demolish the two buildings. The buildings could be offered for sale at fair market value by the property owner for a specified period of time (one year for these buildings) in accordance with Sections 36.1-331 and 36.1-349 of the Zoning Code of the City of Roanoke (1979), as amended. If the buildings are not sold, the buildings could be demolished in accordance with said sections.

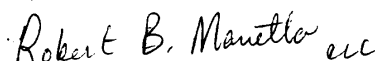
Reverse the ARB's decision to deny the issuance of a Certificate of Appropriateness to demolish the two buildings, thus approving the demolition of the buildings and the issuance of a Certificate, provided that the final detailed parking plan is approved by the ARB.

Reverse in part the ARB's decision to deny the issuance of a Certificate of Appropriateness to demolish the two buildings, and approve the issuance of a Certificate for the demolition of one building (the dye plant) and the rear addition of the Antrim Motors building, consistent with the alternative plan developed by staff and presented to the ARB. The final detailed parking plan must be approved by the ARB.

Architectural Review Board Recommendation:

The Architectural Review Board recommends that City Council affirm the ARB's decision to deny the issuance of a Certificate of Appropriateness.

Respectfully submitted,



Robert B. Manetta, Chairman
Architectural Review Board

RM:clc

cc: Architectural Review Board Members
Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Rolanda Johnson, Assistant City Manager for Community Development
Steven J. Talevi, Assistant City Attorney

Roanoke Architectural Review Board
Request for Certificate of Appropriateness

Attachment A

① Date of Application: OCTOBER 25, 2001② Property address: 6th STREET S.W. (503)

③ Property owner:

Name: CALVARY BAPTIST CHURCHAddress: 608 CAMPBELL AVE. S.W.ROANOKE, VA. 24016Phone: 344-9237 FAX 982-1389
REV. DONNA HOPKINS BRITT
PASTOR

④ Representative (contractor or agent):

Name: HERBERT J. McBRIDEAddress: 5105 GREENFIELD ST. S.W.ROANOKE, VA. 24018Phone: 774-3274

Department of
Planning Building and Development

Room 166 Municipal Building
215 Church Avenue, SW
Roanoke, VA 24011
Phone: (540) 853-1730
Fax: (540) 853-1230

ARB Secretary:

Chris Chittum, AICP, City Planner II
(540) 853-2356

⑤ Description of Work:

Include details of construction, dimensions, and the materials that will be used. Attach supporting information to the application (e.g. scaled drawing, photographs, and samples).

CALVARY BAPTIST CHURCH PLANS TO DEMOLISH THE STRUCTURE ON TAX NOS AS SHOWN ON SUBDIVISION MAP PREPARED BY DAVID BESS, LAND SURVEYOR. A PAVED PARKING LOT WILL BE CONSTRUCTED WITH LANDSCAPING & LIGHTING. SPACES (PARKING) WILL BE PROVIDED FOR THE HANDICAPPED. THE PARKING LOT WILL BE COMPATIBLE WITH THE JEFFERSON CENTER AND THE COTTON MILL.

⑥ Signature of owner or owner's representative

CALVARY BAPTIST CHURCH
Herbert J. McBride, TRUSTEE

Note: By signing this application, the representative agrees that work will be performed with the full knowledge and consent of the owner and that construction will be undertaken only as approved by the Architectural Review Board.

Section below to be completed by staff

Tax Parcel Number: 1113304Zoning District: LMOverlay district: ☐ H1 ☒ H2

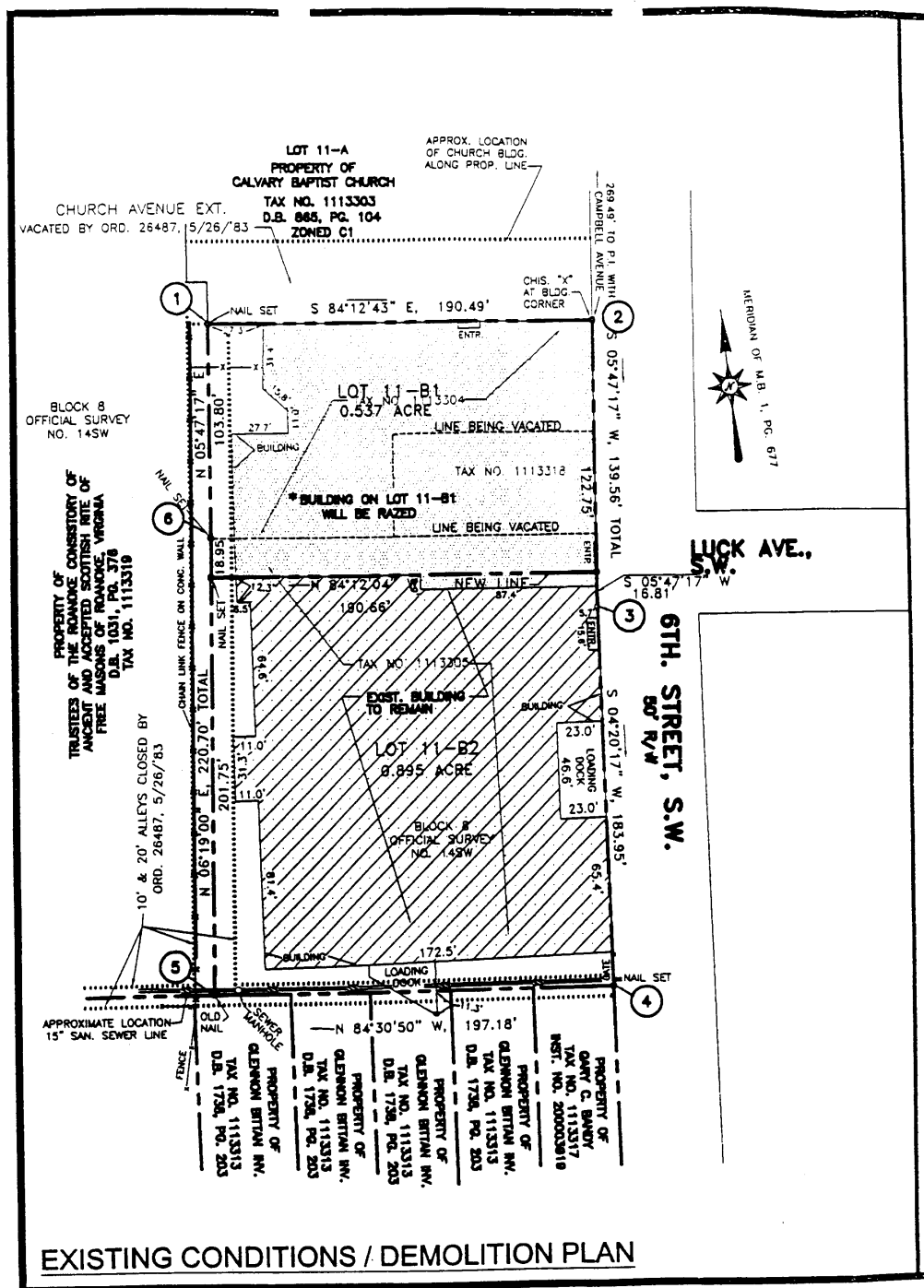
Other approvals needed:

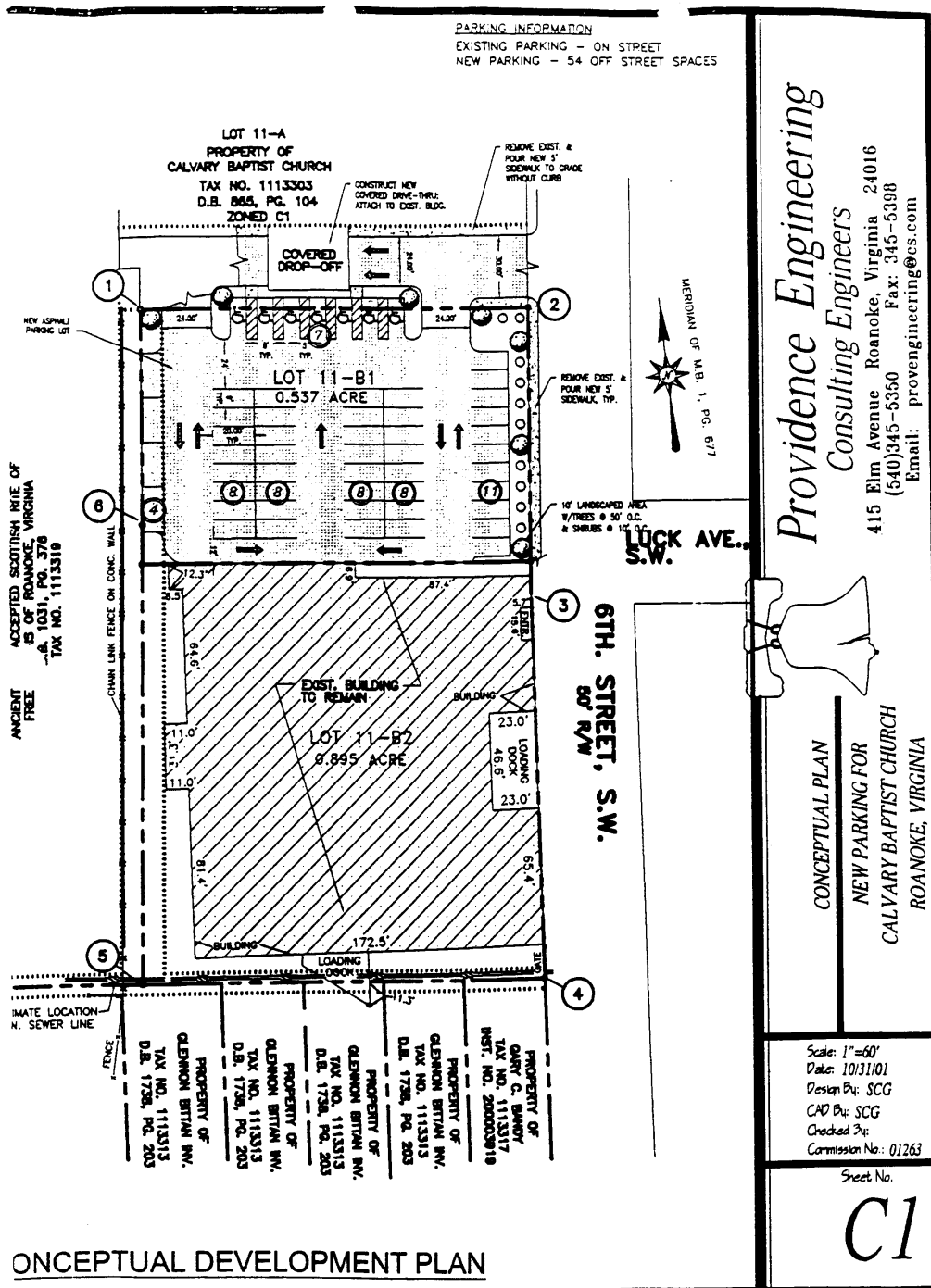
☐ Zoning Permit☐ Building Permit☐ Other _____Approval By: ☐ ARB ☐ Secretary

Approved:

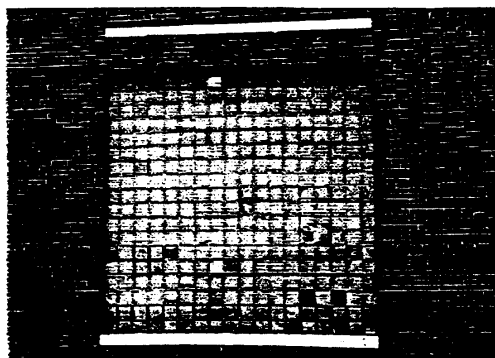
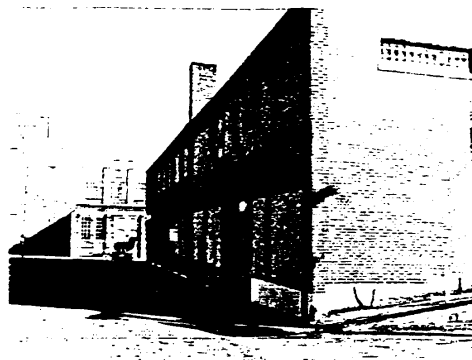
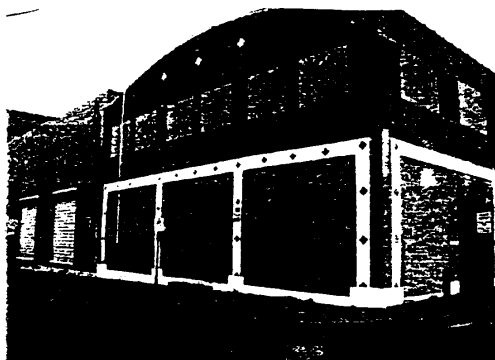
Secretary, Architectural Review Board

Certificate Number: _____





503 Sixth Street, SW



Attachment B

Roanoke City Architectural Review Board
November 8, 2001
Page 5

Mr. Harwood said there were dormers on two sides of the house and on the front. He asked where the vents would be installed.

Mr. Miller said that the vents would go on the two sides and on the back of the house.

Mr. Deck suggested that the vents be installed on the back side of the side dormers.

Mr. Manetta asked for audience comment. There was none.

Mr. Manetta said that he had heard some suggestions for improving the application and some agreements on behalf of the applicant. He suggested the Board restate what had been discussed to see if the applicant was comfortable with that.

Mr. Prescott said his proposal was that the slope of the deck over the hidden gutter, if it is an 18" horizontal soffit, be raised up 4 1/2" and no higher. There was discussion about the material and Mr. Miller said he understood what materials he would have to use, including an ice guard around the perimeter.

Mr. Deck said that he thought the proposal would have minimal impact.

Mr. Prescott moved to approve the application with the understanding that the rise of the deck on the hidden gutters was no more than 4 1/2" up to the existing rafters and placement of the roof vents be such that they aren't visible from the street. The motion was seconded by Mr. Johns and approved 6-0.

4. Request from Calvary Baptist Church for a Certificate of Appropriateness approving the demolition of a structure and construction of a parking lot at 503 Sixth Street, S.W., Official Tax No. 1113304.

Mr. Harwood and Mrs. Blanton stated they would have to remove themselves due to a conflict of interest.

Mr. Talevi said that with the removals, it would take three votes for approval.

Mr. Herbert D. McBride, chairman of the church trustee board, appeared before the Board on behalf of Calvary Baptist Church. Mr. McBride briefed the Board on the history of Calvary Baptist Church and the need for additional parking. Mr. McBride said that the church offices and dining rooms were located on Sixth Street, however, there was no vehicular parking allowed on Sixth Street. He discussed the problems the church was experiencing in being able to get their mail delivered as well as the need for parking for persons using the church throughout the week. He said there were 14 parking spaces, five of which were for handicapped use, at the rear of the

Roanoke City Architectural Review Board
November 8, 2001
Page 6

church for staff. Mr. McBride said that church history showed that Calvary Baptist had been a good neighbor and they had never demolished a building. He said that the neighborhood would be preserved by Board's vote of support for this project. He also noted that the parking lot was a \$600,000 to \$700,000 investment by the church.

Mr. Shawn Goldsmith and Mr. Ron Shiflett with Providence Engineering appeared before the Board and presented a plan which depicted the new parking lot and the location of the structure to be demolished. Mr. Goldsmith said that the structure proposed for demolition was next to the Cotton Mill. He said the proposed parking area would be entered by an abandoned easement. He pointed out a proposed drop-off area which would be covered by a canopy attached to the existing building. He said that the landscaping plan met City standards. He also noted that the demolition of the building would probably necessitate the demolition of sidewalk, which would have to be reconstructed.

Mr. Manetta asked if there was a design for the drop-off canopy.

Mr. Goldsmith responded that the canopy was only a concept at this time.

Mr. Deck asked who owned the closed and vacated area.

Mr. Goldsmith responded that it was owned by the church.

Mr. Manetta said that it was his understanding that the request was not just for one building, but that there were several buildings on the site.

Mr. Ron Shiflett described the buildings on Sixth Street, beginning with the Cotton Mill, which is not part of the proposed project. He said that the old Antrim Motors building, as well as a structure that had been used for the dyeing operations in the mill, were the structures under consideration by the Board. He described the structural problems with both buildings, noting that the structure used for the dyeing operations was severely deteriorated from exposure to chemicals.

Nick Glennon, owner of the Cotton Mill and the site under consideration, appeared before the Board. He explained that the church had an option to purchase the site he owned next to the Cotton Mill. He described an "L" shaped structure as being infill and not part of the original building.

Mr. Deck asked the function of the "L" shaped area.

Mr. Glennon said that historically it had been a boiler room.

Roanoke City Architectural Review Board
November 8, 2001
Page 7

Mr. Manetta questioned the ramp at the rear of the property.

Mr. Glennon explained that the ramp had been dismantled in 1983 and that was the area of the infill that had been boxed.

Mr. Ron Shiflett said that he believed the church and the Cotton Mill had distinctive architecture, however, the dyeing building and the motor company had no architectural distinction. He said that the demolition would give the owner of the Cotton Mill and the church an opportunity to re-establish the architectural consistency.

Mr. Deck explained the charge of the Architectural Review Board and noted that it was the Board's job to determine whether something was architecturally unique. He also mentioned the difficulty he had in walking downtown and seeing large blocks of pavement filled with automobiles instead of being used for businesses or other uses. He then asked, beyond what had been presented, if anyone could speak to what the plans were for the rest of the Cotton Mill. He said that he saw a significant destruction of a two-story facade. He also said he assumed the plan was for asphalt as opposed to nice concrete pavers.

Mr. Glennon appeared before the Board and said that buildings did not make neighborhoods or communities. He said that this was an opportunity at the end of the block to enable Calvary Baptist to have parking and would connect to the adjacent parking for the Jefferson Center. He said that to allow the church to use the space for parking would enhance the viewscape of the Cotton Mill. He also discussed the plans for the Cotton Mill and said that its historical integrity would be kept. Mr. Glennon said that his experience developing and restoring old buildings went beyond the project in Roanoke. He said that he did think that there were opportunities to make the parking lot more sight friendly by using landscaping.

Mr. Deck asked Mr. Glennon if his plans for parking were across Sixth Street.

Mr. Glennon responded they were.

Mr. Deck asked if there would be shared parking.

Mr. Glennon said that was being talked about.

Mr. Deck asked if there was going to be an agreement with the church that during the day the customers of the Cotton Mill would be able to use the church parking area.

Mr. McBride appeared before the Board and said that the church had many daily activities in conjunction with the League of Older Americans and others that would be using the parking area. He said that the church would always be a good neighbor.

Roanoke City Architectural Review Board
November 8, 2001
Page 8

Mr. Johns asked if the landscaping issue had been explored.

Mr. Glennon said that his parking lot would be landscaped.

Mr. Chittum gave the staff report (Attachment C), noting there were guidelines for demolition and relocation. He said that the guidelines discourage demolition of adjacent buildings for parking lots. Mr. Chittum also advised the Board of what they needed to look at when considering a demolition in the H-2 district. Mr. Chittum said that it did not appear that the proposal meet the criteria set forth in the guidelines or in the zoning ordinance. Mr. Chittum also mentioned that staff is working on making more parking available on 6th Street on the weekends and evenings. He also said that the buildings were not called out in the downtown plan or in the Jefferson Center Master Plan, but the buildings were part of the historic district.

Mr. Talevi also advised the Board on the findings, set forth in Section 36.1-348, they must make if they decide to grant a Certificate of Appropriateness.

Mrs. Blanton left the meeting (5:15 p.m.)

Mr. Manetta asked if either of the buildings was designated with any historic significance.

Mr. Chittum said they were deemed to be contributing structures within the neighborhood. He also said they were part of the National Register district.

Before opening the floor for comments, Mr. Manetta said there was no time limit for making comments, however, he asked that speakers not repeat what others before them had said, other than to say they agreed or disagreed with it. He asked that speakers bring up only new items.

Susan Williams, Director of the League of Older Americans, appeared before the Board and said that her business was one block from Calvary Baptist and she used the church for many activities. She also said that they shared parking. She noted that parking was a serious problem in the day time because their members could not walk a block in order to use the church facilities. She said that the League of Older Americans supported the request.

Mr. John Urkhart, chairman of the board of deacons at Calvary Baptist, appeared before the Board and gave a brief history of the church. He said the church had served as an important anchor in downtown and in the neighborhood. He said that the church had a great need for parking, especially handicapped parking. He said that the new parking area would provide better access for visitors and he urged the Board to approve the demolition of the structures for parking.

Harry Gamble appeared before the Board and commented on the recent restoration of Jefferson High School and the significance and beauty that it added to the area. He said that there was an

Roanoke City Architectural Review Board
November 8, 2001
Page 9

urgent need for parking for the church. He said that it was a well established fact that Calvary Baptist was the most classic example of Doric architecture within the City and it seemed to him that the adjacent area would be a desirable and lovely parking area. He said he hoped the Board would act favorably upon the request from Calvary Baptist.

Mrs. Janet Burrow, President of the Jefferson Center Foundation, appeared before the Board and said the foundation was delighted to be in the neighborhood and in partnership with Calvary Baptist Church and included in the plans for the Cotton Mill. She said that in their section of the City, they had a partnership with their neighbors and they considered themselves a neighborhood. She said that the issues were looked at as neighborhood issues. She said that she was present to support the request. She said she realized there were some improvements that could be made to the conceptual design, however, in concept she believed that what was important about a parking lot was the people who drive to the parking lot and get out of their cars. She urged the Board to consider paying a small price in terms of loss of the structures for a much more significant gain. She said that she thought the perseverance of the church should warrant special consideration by the Board.

Mrs. Lois Trent (614 Walnut Avenue, S.W.) appeared before the Board and said that she was a resident of Old Southwest for 24 years and a member of Calvary Baptist. She said that she supported the approval of the request and appreciated the improvements that had been made in Old Southwest.

Mr. Richard Winstead appeared before the Board and said he was a member of Calvary Baptist Church. He talked about the Mobile, Alabama historic district and presented photographs taken of the district in Mobile, which he felt were germane to the issue at hand. He said that Calvary Baptist needed parking and he felt it should be accomplished.

Mr. George Akers appeared before the Board and said he supported the request. He said that parking plan would be the highest and best use and it would assist the church's efforts to be an even better contributor to the neighborhood. Mr. Akers said he was very familiar with the property and had never really thought about it being something that was architecturally or aesthetically beautiful. He said that he was not for demolition in all cases, but would ask for favorable consideration.

Mr. Michael Wright appeared before the Board and said he was a relatively new member of Calvary Baptist. He said that he was on a committee for the community around the church. He said he understood from meeting with Darlene Burcham that there were future plans for a possible parking garage in the area. He also said there were a lot of possibilities for the church in conjunction with the Jefferson Center. He asked the Board's favorable consideration of the church's proposal.

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Mr. Drew Purcell appeared before the Board and said he was associate pastor and was in attendance for Donna Hopkins Britt, pastor of Calvary Baptist. He said that Pastor Britt was out of town, but supported the request. He also said that he was in support of what had previously been said.

Mr. Manetta asked if the Kazim Temple opened their lot for use by Calvary Baptist for parking.

Mr. Purcell said that it was unlocked on Sunday.

Mr. Duane Howard appeared before the Board and said that he lived in Old Southwest and had been attending Calvary Baptist for the last two months, although he was not a member. He said that he supported a parking lot because it appeared it would enhance the neighborhood. He said that Calvary Baptist was an asset to the neighborhood and the survival of the church may be dependent on the automobile. Mr. Howard said that basically the Board was looking at tearing down an old brick wall and the demolition of the structure would not be a loss. He said that opening up the space between the church and the Cotton Mill would enhance the area and that tearing down a brick box to save the life of the church seemed to be an easy choice to make.

Mrs. Joyce Waugh (3522 Holland Drive) appeared before the Board and said that change could be good. She said that she was in support of the proposal. She asked that those in favor of the request to stand. About 50 persons stood in support.

Ms. Francis Williams said that there were security issues when parking at the Kazim Temple lot. She also noted that there were other security issues in the general area and that a church security officer watched persons as they walked to their cars. She also said that the church needed secure parking and she would like the Board to consider that issue.

Mr. Manetta advised the Board that both buildings under consideration were contributing structures within the H-2 district.

Mr. Prescott asked how long the church had owned the property.

Mr. McBride said the property was under contract.

Mr. Manetta said that he understood that the dyeing building was not in good condition. He asked Mr. McBride what consideration had been given to keeping the better of the two buildings and reconfiguring the parking plans. Mr. Manetta said that the Board had an obligation to try and preserve historic buildings. He said that he had heard a need for security. He asked the applicant if he had pursued the concept of using the existing building closest to the church.

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Mr. McBride said he had looked into that, but one of the big problems they had was providing parking for the handicapped. He said that he would lose all of the handicapped spaces based on that plan and he would not be able to install the proposed canopy. He also noted that it would be cost prohibitive. He said that leaving the building would not lend itself to the church's senior citizens and it would be difficult to secure.

Mr. Manetta suggested the area could be gated, and if approved, a wrought iron fence might be a thought. Mr. Manetta also read the findings the Board had to make and again asked if there were alternative plans for the Board to review.

Mr. Prescott asked who owned the property.

Mr. McBride said that Glennon-Britton was the owner of the property as well as the Cotton Mill.

Mr. Prescott asked how long it had been since the structures had been occupied.

Mr. Glennon again appeared before the Board and said the structure had not been occupied on a productive basis for six years. He said that the last time it was used, it had been used as a warehouse for construction equipment for the Jefferson Center.

Mr. Manetta asked if there were further questions or comments from the audience. There were none.

Mr. Manetta discussed parking in downtown Roanoke and how the downtown consultants felt about parking lots in downtown. He said he felt a parking garage in the area was the answer.

Mr. Deck said that if he was a member of Calvary Baptist, he would probably be in a seat in the audience along with everyone else. However, he noted that his role dealt only with architecture, not with the elderly, babies or the church organization. He said that the criteria is clearly set forth in the City Code and he personally was unable to ignore it. He said that the buildings that the Board considered to be beautiful on the surface were not the only buildings that contribute to the fabric of Roanoke. He said he did not feel he could turn his back on the Code requirements because he found them too restrictive. Mr. Deck said he realized the church was in an unusual situation as far as parking was concerned, but he was a little disappointed that the church was not forthcoming with a Plan B option with a proposed use. He said that he would really be interested in a scheme that showed use of the motors building. He said that he thought having relics of the facade as a wall of the parking area would be something to explore. He said he thought there were many opportunities that had not been brought before the Board and he would like to see them. He said that he could not approve the application as presented.

Roanoke City Architectural Review Board
November 8, 2001
Page 12

Mr. Manetta said he realized Calvary Baptist had come before the Board with a significant need and the Board had heard and appreciated it. He said the thought that there would not be a majority vote to pass Calvary's request at this point. Mr. Manetta told Mr. McBride he had the right to have the application acted upon as is or he could request a continuance. He said that the Board would be interested in seeing the applicant come back with some alternatives that retain the more significant of the two buildings. He said if the Board were to vote down the plan, then it would be a year before another application could be made. He also noted that the applicant had the right to appeal the Board's decision to City Council.

Mr. McBride said that at this point, he would request a continuance until the next meeting to see if there was something that could be done.

Mr. Prescott moved to continue the matter until next month. The motion was seconded by Mr. Johns and approved 4-0-2 (Mr. Harwood and Mrs. Blanton previously abstaining).

5. Request from Pete Smithson, represented by D. Baker & Co., Inc., for a Certificate of Appropriateness approving fiberglass handrail, removal and reinstallation of guttering and re-roofing at 376 Walnut Avenue, S.W., Official Tax No. 1030202.

Doug Baker, general contractor, and Pete Smithson, manager of Smal Properties, appeared before the Board. Mr. Baker presented the request on behalf of Mr. Smithson, noting that as work began he had been noticed that the handrail was very deteriorated, and after removing the fascia above the porch, he had discovered that the metal was gone. He also said that a new roof was needed. He said that he was proposing to re-roof similar to Mr. McLain's request on Washington Avenue.

Mr. Harwood asked if he would be going over the existing gutter.

Mr. Baker said he would. He said the gutters on the main house were going to have to be redone.

Mr. Chittum gave the staff report (Attachment D) and noted that the guidelines call for replacement of deteriorated gutters. He also said that the roof appeared to meet the criteria for decking over.

Mr. Manetta asked if there were comments from the audience. There were none.

Mr. Harwood said that he felt the ogee configuration would create a better profile.

Mr. Prescott said that it was a shame that the hidden gutters were in the condition they were in, but if there was any way possible, he would encourage the owner to take off the tin wrap and restore the woodwork.

~~ATTACHMENT~~
City of Roanoke
Memorandum

TO: Robert Manetta, Chairman and
Members of the Architectural Review Board

FROM: Chris Chittum, AICP, City Planner II/ARB Secretary *CC*

DATE: November 8, 2001

RE: 503 Sixth Street, SW - Demolition

Project Description:

Demolish two adjacent structures and establish a parking area per submitted plan.

Findings:

The guidelines encourage preservation over demolition and encourage the thorough evaluation of rehabilitation and use alternatives. Guidelines on parking discourage demolition of adjacent buildings for parking lots. The guidelines also require the following items be considered when reviewing a demolition request:

- That the purpose and necessity of the demolition are in accordance with the district.
- That loss of the structure will not be adverse to the district or the public interest by virtue of its uniqueness or its significance.
- That demolition will not have an adverse effect on the character and surrounding environment of the district.
- Where a development plan for a new use of the site is proposed and submitted, the board shall review the proposed development conforming to the regulations of the district.

There are two buildings proposed for demolition. The building closest to the Cotton Mill is brick and the façade is fairly plain except for large, glass block windows. The building closest to the church has a unique façade that features raised brick and diamond-patterned tile accents. The façade has three large bays and six second-story windows that have been bricked in. The design motif wraps around the building on the north side. The building has an arched parapet wall. The rest of the building is rather plain; piecemeal repairs have been made to the brickwork and most windows and openings have been bricked in.

The structural condition of the building is unknown. Staff has asked the applicant to provide a structural report to the ARB. There are visible signs of deterioration of the mortar joints in some areas.

A replacement plan for a 54-space parking lot and a canopy has been submitted as part of the application.

Staff comments:

The proposal does not meet the criteria set forth in the guidelines, as the loss of the structures will have an adverse impact on the district, as the buildings have unique design features. In addition, the guidelines advise against demolition for parking.

The church appears to have a shortage of close-proximity parking that has been exacerbated by restrictions on parking along Sixth Street. Staff is working to make on-street parking available on Sundays.

November 8, 2001
Page 2

The Jefferson Center area is a critical area identified in the Outlook Downtown plan as well as the Jefferson Center Master Plan. However, neither plan designated a future use for this particular property.

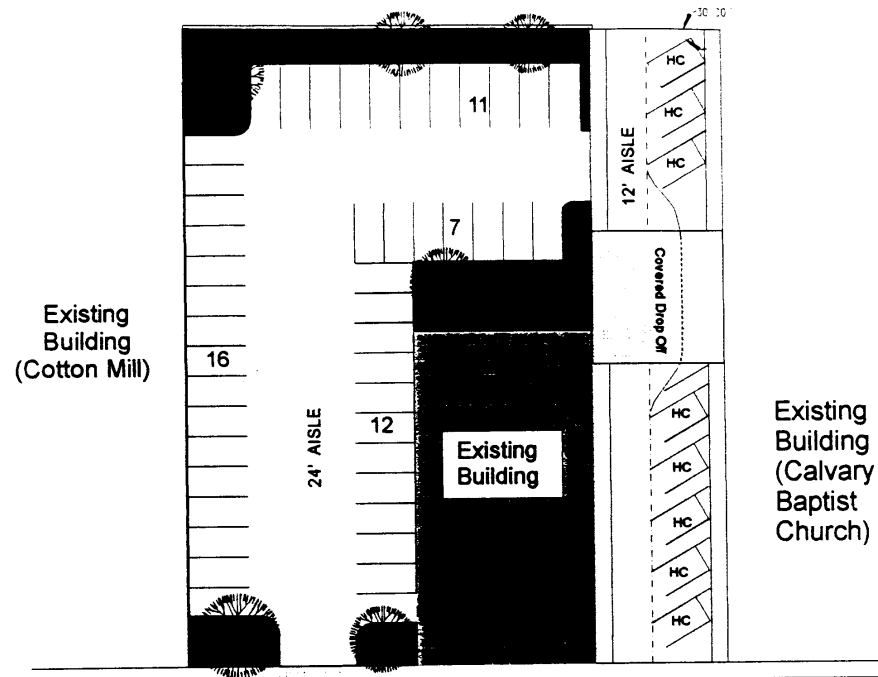
The design of the parking lot and canopy should be considered only in concept and final plans should require additional approval.

Attachment C

Calvary Baptist Parking

alternative configuration w/ canopy

Scale: 1"=40'



6TH STREET

LUCK AVE

54 Spaces:
46 Standard (9'X18')
8 H.C. (13'X18')

Attachment D

Roanoke City Architectural Review Board
December 13, 2001

MINUTES

The regular meeting of the Roanoke City Architectural Review Board was held on Thursday, December 13, 2001, at 4 p.m., in the City Council Chamber. The meeting was called to order by Robert Manetta, Chairman. Attendance was as follows:

Members Present:

Alison Blanton (late)
Kevin Deck
Robert Manetta
Matt Prescott
Robert Richert
James Schlueter

Members Absent:

Don Harwood

The following items were considered:

1. Approval of November 8, 2001, Minutes.

There being no additions and/or corrections, motion was made, duly seconded and unanimously approved to approve the minutes as distributed.

2. Request from Calvary Baptist Church for a Certificate of Appropriateness approving the demolition of a structure and construction of parking lot at 503 Sixth Street, S.W., Official Tax No. 1113304.

Donna Hopkins Britt, Pastor of Calvary Baptist, appeared before the Board and said that the Board had already made up its mind about the request, however, she was making a plea that the Board consider giving life to Calvary Baptist Church. She said that the church had been a pillar in the Roanoke community. She noted some of the activities/organizations that could no longer use the church facilities because of the inconvenience of parking. She said that church strategists had told them they had to have convenient parking in order for their church to grow. She said that the church wanted to be available to the community for use, and close, convenient and safe parking was what was expected in today's culture. She explained that Calvary Baptist was mostly an elderly congregation and she asked that the Board consider again the decision they had already made. She asked the Board if they wanted to protect a building that had a few architectural details or preserve the church building. She said the Board's decision may be the life or death of Calvary Baptist Church and she asked that God guide the Board in their decision.

Mr. Manetta asked for questions or comments. Mr. Manetta said that there had been a very serious attempt to try and come up with a compromise which may meet some of the church's needs, such as more parking for the elderly. He also said there was an opportunity to provide some other economic activity in that area if the right solution could be brought forward. He said

Roanoke City Architectural Review Board
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he was hoping for a solution that would benefit the church, the neighborhood and the preservation of the historic district. He said he felt the Board was taking the concerns of the church very seriously.

Both Messrs. Deck and Prescott asked if Calvary Baptist was presenting the same proposal the Board heard last month or if there was a different one on the table.

Mr. Chittum said that to his knowledge the Board was considering the same application.

Mr. Deck said he appreciated the opening remarks of Pastor Britt. He said that sitting on this Board gave him certain requirements that he had to adhere to as far as demolition was concerned. He said that if the church was clearly interested in taking down the corner building, he did not see a way he could put that to the side and say this was a special case. He said that personally, and with integrity, he could not reconcile the church's need in this building and what he considered to be its contribution to the neighborhood. He said that his comments from last month's meeting stood. He further stated he felt there were some opportunities that could provide a compromise where it would be a win/win situation. He said that he had been involved in churches all his life and he knew that if parking was not safe and convenient, people would stop going. He said that he was a little disappointed to hear there are some creative, solvable things being offered but no compromise by the church. He said that if the request was for all or nothing, he would be voting against the application.

Mr. Richert thanked Pastor Britt for coming and said it was not that the Board was not sensitive to the needs of the church. He said he was looking for some creative solution that would perhaps be of benefit to even more than the church. He said that just the idea of demolishing for surface parking in a historic district was a "non-starter" for him. He said that the area had tremendous potential for good things to happen in the City and his feeling was that the right way to approach that was for all parties to get together and try to understand each others problems and find overlapping solutions. He said that the Antrim Motors building was a contributing building. He said that the Board was willing work with the church and others in the area and he preferred more planning be done. He said he wanted to see a plan that consolidated everything so that the right thing could be done. He also mentioned that the City's comprehensive plan set out clearly that we could not continue to pave parking on a single level.

Mr. Prescott said he was going to have to break with the majority of the Board. He said he felt the Board was charged with saving all contributing structures and opposing demolition as a matter of course. He said it had to be context driven and the Antrim Motors building was the only architecturally interesting building there. Mr. Prescott said the building had not been used for 20-30 years, was bricked up and located between two structures that were more architecturally significant (the church and the cotton mill). He said that to him the loss of the building was not going to be catastrophic to the neighborhood. He said he felt the economic

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impact and the impact on the life of the church had to play a part in the decision the Board made. He said he would like to see another offer just like the rest of the Board, but without it he thought he would still vote in favor of the request.

Mr. Manetta said that the original drawings submitted by the church showed construction of 54 parking spaces, which would maximize every square inch of the property. He commented that he had parked in buildings that were in worse condition than the Antrim Motors building. He said at least 10 spaces could be constructed within that building without taking it down. Mr. Manetta discussed a concept that staff had prepared and said that with the concept you could get close to the 54 parking spaces. He said he was surprised that the church was not willing to seriously work on that alternative and had seriously hoped there could be a compromise.

Pastor Britt said that the church was not opposed to a compromise. She said she had not seen the staff proposal. Pastor Britt also said that there were safety issues in using the Antrim Motors building.

Mr. Richard Winstead appeared before the Board and stated he was a member of Calvary Baptist. He said that he had done five projects requiring Board approval. He showed the Board photographs of one of the projects he had done in the H-2 district along Patterson Avenue, which required demolition of a building for surface parking. He said that economically, he would never have been able to complete the project if the demolition had not been approved. He said that the building under consideration was an old building with no architectural value. Mr. Winstead said that there was a point where buildings lose their economic value and these buildings had reached that point. Mr. Winstead also remarked that the church was very vital to downtown Roanoke and if the Board vetoed the request they would be issuing a death sentence to Calvary Baptist Church. He said that to him the Antrim Motors building was a nuisance and bricks and mortar could be replaced, but the impact that Calvary Baptist had on the citizens could not. He said that it really bothered him that the Board could not see the economic impact of the project. He said that parking was needed for the congregation and the Board needed to see the severity of the situation.

Mr. Manetta asked Mr. Winstead if he recalled whether the house on Patterson had been condemned. He said he did not.

Mr. Herbert McBride appeared before the Board and thanked the Board members for their time in meeting with him and others on site. Mr. McBride advised the Board that the church had considered other options and had chosen the option that would have the least impact on the neighborhood. He said the congregation looked at the following options: (1) the option that was presented to the Board was the first choice and the only one the church could afford; (2) another option was that Calvary Baptist would purchase land all the way to Marshall Avenue at a cost of \$850,000; and (3) the third option was that land would be purchased to Marshall Avenue and

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Fifth Street at a cost of \$1.2 million. He said that the second two options would have had a greater impact on the historic district and neighborhood. He said that the church had looked at the options presented by the Architectural Review Board and the church could not afford those options. He said that the church had a contract to purchase the two buildings and if they did not get permission to demolish they would probably walk away from their contract to purchase. Mr. McBride also noted that he had bid the demolition, but the church could not afford to renovate the Antrim Motors building. Mr. McBride noted that the surface parking lot would not take care of the parking for Calvary Baptist, but it would take care of the needs for those members that would frail and could not walk. Mr. McBride further stated that there was a mortgage on the mill and the mill owners were looking for the church to buy the land so they could get underway with their renovations. He said that if the church did not purchase the property, it was a possibility that the cotton mill project might not go forward.

Mr. McBride said that the church had never had a private parking lot and had never asked to demolish a building. He said that the church had studied the situation and looked at the options and resources. He said the Board could either support the request or deny it and the Board's decision would have a very profound influence on Calvary Baptist Church, the cotton mill project and the neighborhood. He said that by supporting the request, the Board would be preserving the neighborhood, the historic district, Calvary Baptist Church, and the cotton mill.

Mr. Manetta asked for any further questions or comments from the Board. There were none.

Mr. Chittum gave the staff report (Attachment 1). He reviewed Section 36.1-348 of the City Code dealing with demolition in the H-2 district, noting that the Board would need to find that the loss of the Antrim Motors building would not have an adverse impact on the district. Mr. Chittum stated that staff was recommending denial of the request for a Certificate of Appropriateness.

Mr. Manetta said that the plan before the Board did not have a lighting plan, and he understood that the applicant may want to change the design of the parking lot.

Mr. Chittum mentioned that the design of the canopy and an elevation would also have to be reviewed.

Mr. McBride said that the plans were only conceptual and he understood that he would have to come back to have the lighting approved. He said the church would do something nice and would come back with canopy designs also.

Mr. Talevi reviewed Section 36.1-348 with the Board and noted that the Board must make the findings in order to issue a Certificate of Appropriateness. He said he was not sure how the

Roanoke City Architectural Review Board
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Board could make a finding on Section 36.1-348(c) with only a conceptual proposal, but if the Board felt they had enough information, then "so be it."

Mr. Manetta asked if Section 36.1-348(a)(b) and (c) all had to be addressed.

Mr. Talevi said he believed that to be the case.

Mr. Manetta asked if there were comments from anyone in the audience.

Mr. David Diaz (City Manager's office) appeared before the Board and said that the applicant could appeal the Board's decision to City Council. He urged the applicant to meet again with the staff and anyone else. He said that the City Manager's office would coordinate any meetings with key organizations in the area to see if there was something that could be done. He said that he would talk with the City Manager about the Board's discussion and follow up with Calvary Baptist Church to see if they wanted to present an alternative plan.

Mr. Douglas Turner (545 Highland Avenue, S.W.) appeared before the Board and stated that he was a former pastor. He said he hoped some solution could be reached because the church did need the parking. He said that if the church closed and was vacant, then an important anchor would be lost.

There being no further discussion, Mr. Prescott moved to approve the request. The motion was seconded by Mr. Deck.

Mr. Manetta said that as always, the framing of the motion should be one for approval, as was done. He said that the Board could vote for or against the motion for approval.

Mr. Richert commented that he was disappointed that the church had taken the position of non-negotiation. He said that he truly believed that with the help of the City Manager and the City of Roanoke, something could be put together that would meet the needs of the church and contribute to the development of that area of the City. He said that his vote would be no in the hope that the Board could do something with a new plan and essentially move this matter forward and not penalize the church. He said that the plan presented by the church was incomplete and not acceptable.

Mr. Manetta said that in addition to what Mr. Richert had voiced, the church had presented a plan for 54 parking spaces and staff had worked out something without demolition of the Antrim Motors building which would provide 50 parking spaces. He said that he was disappointed.

Mr. Deck said that he had addressed his concerns in his opening comments. He said he felt the loss of the structure would be adverse and affect the surroundings. Mr. Deck said that last month

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he had presented a proposal that would preserve the Antrim Motors building. He said that based on his interpretation of his role on the Board, he would be voting no.

Mr. Prescott said that in making his motion to grant approval, he wanted to continue the option of a more complete discussion. He said he understood the plans were conceptual only. He further said that he thought the Antrim Motors building had some interesting architectural features but it had not been used in many years and in all likelihood would not be used. He said that the economics outweighed the aesthetics. He said he would vote in favor based on a better presentation of the parking lot.

Mr. Deck said that it was possible that City Council could override the decision of the Board and grant the demolition. He asked what the church could do other than demolish the structure.

Mr. Talevi said that presumably Council could say that the Board had enough information to issue a Certificate of Appropriateness, but that would be up to City Council.

Mr. Deck said that if approved, there would be a lot with 95% asphalt, and he was not sure that the plan provided by the church met the landscaping requirements. He said that his concern was that the applicant might find favor before City Council and the City could end up with a plan that had not received reasonable input.

Mr. Talevi said that he understood the concerns and his response was that City Council could make whatever decision they deemed appropriate based on whatever information was given to them.

There being no further discussion, a roll call vote was taken on the motion to approve. The motion was denied by a vote of 1-4, as follows:

Mr. Deck - no
 Mr. Prescott - yes
 Mr. Richert - no
 Mr. Schleuter - no
 Mr. Manetta - no

3. Request from Richard Sumner for a Certificate of Appropriateness approving painting of storefront and awning at 108 Salem Avenue, S.E.

Mrs. Blanton was now present on the Board.

~~Attachment 4~~

**City of Roanoke
Memorandum**

TO: Robert Manetta, Chairman and
Members of the Architectural Review Board

FROM: Chris Chittum, AICP, City Planner II/ARB Secretary

DATE: December 13, 2001

RE: 503 Sixth Street, SW - Demolition

Project Description:

Demolish two adjacent structures and establish a parking area per submitted plan.

Findings:

Property is in the H-2 district. The guidelines encourage preservation over demolition and encourage the thorough evaluation of rehabilitation and use alternatives. Guidelines on parking discourage demolition of adjacent buildings for parking lots. The guidelines also require the following items be considered when reviewing a demolition request:

- That the purpose and necessity of the demolition are in accordance with the district.
- That loss of the structure will not be adverse to the district or the public interest by virtue of its uniqueness or its significance.
- That demolition will not have an adverse effect on the character and surrounding environment of the district.
- Where a development plan for a new use of the site is proposed and submitted, the board shall review the proposed development conforming to the regulations of the district.

There are two buildings proposed for demolition. The building closest to the Cotton Mill is brick and the facade is fairly plain except for large, glass block windows. The building closest to the church, known as the Antrim Motors building, has a unique facade that features raised brick and diamond-patterned tile accents. The facade has three large bays and six second-story windows that have been bricked in. The design motif wraps around the building on the north side. The building has an arched roof that is reflected in the facade. The original building extends about 100' deep into the lot.

The structural condition of the buildings is unknown. Staff has asked the applicant to provide a structural report. There are visible signs of deterioration of the mortar joints in some areas.

The church appears to have a shortage of close-proximity parking that has been exacerbated by restrictions on parking along Sixth Street. Staff is working to make on-street parking available on Sundays.

A replacement plan for a 54-space parking lot and a canopy has been submitted as part of the application.

The Jefferson Center area is a critical area identified in the Outlook Downtown plan as well as the Jefferson Center Master Plan. However, neither plan designated a future use for this particular property.

December 13, 2001
Page 2

This matter was considered at the November 2001 ARB meeting. The applicant requested the matter be tabled until the December 2001 meeting. Staff and members of the ARB have met informally with representatives of the church to discuss alternatives. Alternative configurations for the parking lot can be developed that retain the former Antrim Motors building without a loss in the number of parking spaces requested. To date, no change in the request has been submitted.

Staff comments:

Staff recommends denial because the proposal does not meet the criteria set forth in the guidelines. The loss of the Antrim Motors building will have an adverse impact on the district because of the building's unique architecture. In addition, the guidelines advise against demolition of adjacent buildings for parking. Should the request be approved, the replacement plan for the parking lot and canopy should be considered only in concept and final plans should require additional ARB approval.

If an alternative proposal is developed, it may be heard by the ARB without delay. Section 36.1-642(c) of the Zoning Ordinance states, "The board shall not reconsider any decision made by it, except as provided for herein. Having once considered an application, the board shall not hear substantially the same application for one (1) year." An alternative proposal would be considered as a substantially different application.

**Attachment E**

Planning
Department
215 Church Avenue, SW
Roanoke, Virginia 24011
(540) 853-1230 (Fax) 853-1230
Email: planning@cityroanoke.va.us

December 21, 2001

Mr. Herbert D. McBride
5105 Greenfield Street, SW
Roanoke, VA 24018

Dear Mr. McBride:

Subject: Application for Certificate of Appropriateness
Certificate No. 01-016 - Calvary Baptist Church, 503 6th Street, SW

On November 8, and December 13, 2001, the Architectural Review Board for the City ("Board") heard the request filed on behalf of Calvary Baptist Church ("Church") for demolition of the structures at 503 6th Street, SW (Official Tax Nos. 1113304 and 1113318). Your request was denied by a vote of 1-4. Section 36.1-348 of the Code of the City of Roanoke (1979), as amended, ("City Code") requires that the Board make the following findings before it can approve a demolition in the present situation:

- a) Loss of the structure would not be adverse to the district or the public interest by virtue of its uniqueness or its significance to the district;
- b) Demolition would not have an adverse impact on the character and surrounding environment of the district; and
- c) Where demolition is in conjunction with a proposed new use of the site, such use satisfies the intent and standards of the H-2 district.

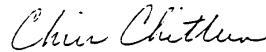
The Board was unable to make these findings and therefore could not approve your request. The Board felt that the loss of the structure would be adverse to the district by virtue of its uniqueness and its significance to the district, and that the demolition would have an adverse effect on the character and surrounding environment of the district. Board members expressed the most concern about the demolition of the "Antrim Motors" building and requested that the Church pursue alternatives which would preserve this building. City staff is willing to continue working with the Church to develop alternatives that will address the Church's parking issues.

Roanoke City Planning Commission Architectural Review Board Board of Zoning Appeals

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If the Church is aggrieved by the decision of the Architectural Review Board, under Section 36.1-622(d) of the City Code, the Church has the right to appeal the Board's decision to City Council within 30 calendar days after the decision is rendered by the Board. Please contact me if you would like more information on the appeal process or if you wish to proceed with an appeal. Also, if you have questions or would like to continue discussions about this project, please give me a call.

Sincerely,



Chris Chittum, AICP, Secretary
Roanoke City Architectural Review Board

cc: Architectural Review Board
Steven J. Talevi, Assistant City Attorney
Evelyn S. Lander, Director, Planning Building and Development

Attachment F

VIRGINIA:

IN THE COUNCIL OF THE CITY OF ROANOKE

IN THE MATTER OF)
 Application for Certificate of)
 Appropriateness No. 01-016) PETITION FOR APPEAL
 Calvary Baptist Church)
Official Tax Nos. 1113304 & 1113318)

This is a Petition for Appeal from a decision of the Architectural Review Board under Section 36.1-642(d) of the Zoning Ordinance of the Code of the City of Roanoke (1979), as amended.

1. Name of the Petitioner(s): Calvary Baptist Church
2. Doing business as (if applicable): N/A
3. Street address of property which is the subject of this appeal: 503 6th Street, S.W. Official Tax Nos. 1113304 & 1113318
4. Overlay zoning (H-1, Historic District or H-2, Neighborhood Preservation District) of property or properties which is the subject of this appeal:
H-2, Neighborhood Preservation District
5. Date the hearing before the Architectural Review Board was held at which the decision being appealed was made:
December 13, 2001
6. Section of the Code of the City of Roanoke under which the Certificate of Appropriateness was requested from the Architectural Review Board (Section 36.1-327, if H-1, or Section 36.1-345, if H-2): H-2 Section 36.1-345
7. Description of the request for which the Certificate of Appropriateness was sought from the Architectural Review Board: Demolition of Structures at 503 6th Street, S.W. Official Tax Nos. 1113304 & 1113318 for an asphalt church parking lot.
8. Grounds for appeal: Calvary Baptist Church has been in the neighborhood for One Hundred and Ten (110) years. We do not desire to relocate outside the City of Roanoke due to the lack of parking for handicapped and frail church members who cannot walk any distance. Also, lack of parking hampers future church growth.

9. Name, title, address and telephone number of person(s) who will represent the Petitioner(s) before City Council:

Reverend Donna Hopkins Britt, Pastor, Calvary Baptist Church,
608 Campbell Ave., SW, Roanoke VA 24016, 540/344-9237

WHEREFORE, your Petitioner(s) requests that the action of the Architectural Review Board be reversed or modified and that a Certificate of Appropriateness be granted.

Signature of Owner(s)
 (If not Petitioner(s)):

Name: _____
 (Print or Type)

Signature of Petitioner(s)
 or, where applicable,
 representative(s):

Donna Hopkins Britt

Name: Donna Hopkins Britt
 (Print or Type)

Name: _____
 (Print or Type)

Name: _____
 (Print or Type)

TO BE COMPLETED BY CITY CLERK:

Received by: _____

Date: _____

January 15, 2002

The Honorable Ralph K. Smith, Mayor
And Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Request of Calvary Baptist Church to Override the Architectural Review Board in the matter of demolition for Surface Parking.

The development of surface parking in, and adjacent to, the H-2 Historic District is a serious problem. This parking has been constructed to serve Commercial, Institutional, and Government activity.

All of the development plans I have reviewed, including Vision 2001 and the Outlook Roanoke Update, address the issue of parking and conclude that surface parking is not a desirable land use. The H-2 Historic District Guidelines, recently endorsed by City Council, commit us to demolition in the Historic District ONLY as a last resort.

Roanoke's history is not pretty in this respect. The amount of previously residential lots in and adjacent to the Old Southwest portion of the Historic District now used for surface parking are as follows:

	Lots	Area Sq. Ft.	City Blocks, at 125,000 Sq. Ft.
Commercial	84	583,375	4.7
Government	4	18,750	0.2
Institutional	26	180,625	1.5

This represents a total of 6.4 city blocks in, or adjacent to, the Old Southwest part of the H-2 Historic District. This does not include parking immediately adjacent to buildings, or residential uses. Not all of these lots were the result of demolition by the ultimate owner of the parking, but the pressure for parking very often encouraged building deterioration and demolition by others.

If we consider the nine city block area just north of the Old Southwest portion of the H-2 district, and immediately east of the proposed Calvary demolition, the effect of surface parking is even more dramatic. This area is bordered by Marshall and Day Ave.'s on the south, Campbell Ave. on the north, Franklin Road and Third Street on the East, and Sixth Street on the west:

	Area Sq. Ft.	City Blocks, at 125,000 Sq. Ft.
Commercial	171,855	1.4
Government	62500	0.5
Institutional	289,375	2.3

This represents a total of 4.2 city blocks, and is nearly 50% of this nine city block area.

This practice of leveling our inner city for surface parking is unacceptable by every measure.
The difficulty is having the vision to say no, when we can, to individual cases where they present compelling arguments that their need is special or different.

I urge City Council to support the decision of the Architectural Review Board in denying this request for demolition, not only because it will save the Antrim Motors building, but because it is the right thing to do for the City at large. We need considerably more imaginative solutions to the parking problems shared by many players in this part of downtown Roanoke. Solutions that will meet the needs of Calvary Baptist Church as well as the City as a whole.

Respectfully submitted,



Robert N. Richert

415 Allison Ave.
Roanoke, VA
(540) 342-2837
richertn@att.net

cc: Darlene Burcham, City Manager
Robert B. Manetta, Chairman of the Architectural Review Board

